# The New-York Times.

VOL. VII.....NO. 1978. NEW-YORK, THURSDAY, JANUARY 21, 1858 PRICE TWO CENTS


## THE UTAH ARMY.

### IN WINTER QUARTERS.

**Breaking-up from Black's Fork—The March to Fort Bridger—Trials of the Army—Severe Weather—The Mormons' Destruction of Fort Bridger—Melancholy Scenes—Preparations for the Winter—Graphic Narrative.**

From Our Army Correspondent.

CAMP SCOTT, (near Fort Bridger,) Utah Territory, Tuesday, Dec. 1, 1857.

The Army for Utah is now in Winter quarters at this place, having succeeded in reconstructing, amidst the ruins of the old Fort, (laid desolate by the Mormons before our arrival,) accommodations sufficient to insure a tolerable degree of comfort.

The march hither was attended by a variety of disagreeable occurrences. The whole Army started from camp on Black's Fork on the 7th of November, the Fifth Infantry in advance. We began the march at daylight, but it was late in the evening before the last of the ox-trains got started. The day was very uncomfortable, a cold northwest wind blowing, accompanied by snow, which was in our faces during the whole march. We moved some fifteen miles, and it was, I believe, the severest fifteen miles journey which was ever taken by so large a portion of the United States Army.

Our progress was so hindered by the giving out and death of the mules and cattle, that it was dark before the advance reached their camping ground and it was after 11 o'clock at night before the troops all reached camp. The tents had then to be pitched in the dark, *on snow nearly a foot deep*, the wood sought for, and supper cooked in a raging snow-storm. Of the ox trains, only two reached the camp.

Col. TAYLOR, one of the prisoners, on the 16th, made his escape from the guards, and was not retaken. Ninety of the Government mules died during the day, and also a very large number of cattle. The thermometer stood at 14° below zero on the 12th; rather cold weather in which to live in tents!

We reached Fort Bridger on the 14th, and we shall remain here, in camp, this Winter. The wall of the Fort is built of cobble-stone, laid in mortar, four feet thick at the bottom—about two feet thick at the top, and twenty feet in height. Adjoining this wall is a large *corral*, inclosed by a stone wall of the same description, about eight feet in height. These improvements were found uninjured, but the wooden gates, (which were very strong,) *were almost entirely consumed by fire*; all the buildings which surrounded the Fort were also *burned to the ground*. Hearing that there were vegetables at Fort Supply, *cached* and yet in the ground, a party went there to-day to see what could be found.

On arriving at the spot I realized for the first time in my life what I had imagined of the appearance of a sacked, burned and abandoned village. The place was marked by the blackened and charred timbers sticking up in every direction, and by the tumbling adobe walls and mud chimneys. There was a sense of desolation about those ruins of a recently beautiful settlement which was, to say the least, unpleasant. The Fort had been surrounded by pickets, which had burned down with the buildings. This settlement contained about 18 houses besides a grist and saw mill. There were about 40 acres of potatoes in the ground, but they were all spoiled by the frost. We found, by poking about among the ruins, a hole containing about three bushels of excellent potatoes. We found a patch of turnips and beets uninjured by the frost, and of them we secured a good supply. The wheat had been cut before the Mormons left, and had been burned in the stack. In the meadow there was 5 acres of hay, cut and lying as it had been raked up at the time of cutting.

Just before leaving the place a black and white cat ran out towards us, from under a pile of half-burnt timber. We gave her food and tried to capture her. She would not allow that, but persisted in keeping her lonely watch over the ruins of he old home.

We are all very busy building houses here for our Winter quarters. Ours is roofed, and to-morrow we hope to daub the chinks with mud; it will then be finished, and we will have a comfortable place for the Winter. We have had the site of our "City" surveyed and laid out. Judge ECKLES finished his house first; therefore, in his honor, we call the place Ecklesville.

Dr. FORNEY, the Superintendent of Indian Affairs, is putting up a large office on one side of the square. As you may readily conceive, we have a l styles of buildings, but the favorite seems to be a hole dug in the ground with a tent pitched over it, and a fireplace at one end.

Our "City" is built in a pretty bend of the creek. It is contemplated to build a Court-house and Jail. The first session of the United States District Court for this district was held at Ecklesville to-day. Mr. MCCARTY, a wagon-maker of RUSSELL & WADDELL, was put on trial for shooting a soldier a few days since. It seems that a party of drunken soldiers attacked him with stones, and struck him several times. He finally, in self-defence, shot one of them, and it is supposed the soldier cannot live. MCCARTY was acquitted. Governor CUMMINGS has concluded not to build a house, but live in tents this Winter. He has sent a proclamation to BRIGHAM and the Mormons, by GROW and SOUTHWORTH, two Mormon prisoners, who were released for that purpose. Mr. PERRY has built a log store; Mr. LIVINGSTON a pole store, and Mr. GERRISH a frame store, which are covered with canvas. It is also contemplated to erect a building for a photographic gallery; we shall therefore be able to send you views of our "City," Fort Scott, and the encampment, as well as of the phizzes and costumes of the residents. Fort Bridger is being converted into a regular fortification. Our Winter quarters are well-selected, the army is camped in fine timbers, which affords shelter from the winds, and a good material for building. The soldiers are all provided with the Sibley tent, which is shaped like a lodge, in the centre of which a large fire can be built. All the Government mules, except a few kept for hauling fire-wood, have been sent to Henry's Fork for the Winter, under the protection of several companies of dragoons.

Just before breaking up from Black's Fork we were joined by Mr. JESSE JONES and Mrs. MOGO, (wife of the former United States Surveyor in Utah,) both of whom had made their escape from Salt Lake City. They reported that all the Gentiles had been ordered to leave the Territory. The Mormons in the City had been several times to the stores of Messrs. LIVINGSTON & KINCAID and GILBERT & GERRISH, and helped themselves to such things as they needed without paying for the same. On one occasion a whole company, which came up from the southern settlements on their way out to Fort Bridger, made free with the contents of the stores. I shall keep you informed of the progress of events.

A. B. C.

### Police Intelligence.

MOCK-AUCTION SWINDLES.—**James P. Lowry**, of Newark, N. J., John Henderson, of Stamford, Conn., Michael Jacobs, of No. 456 Grand-street, and Jacob Hageman, of No. 9 Broome-street, complained yesterday at the Mayor's office, of having been swindled at the auction stores No. 53 Cortlandt-street, No. 129 Broadway, corner Park Row and Ann-street, and No. 166 Broadway. Officers were dispatched to the stores and the keepers compelled to disgorge.

FUGITIVE FROM JUSTICE.—Officer Elder of the Detective Police arrested yesterday Samuel P. Buckbee, alleged to be a fugitive from Elmira, N. Y., where he stands charged with having defrauded Mr. Alfred Sutton, a merchant, out of $456. He was taken back to Elmira for trial.

## LATEST INTELLIGENCE.

### By Telegraph to the New-York Times.

Magnetic Telegraph Co.'s Offices—No. 45 Wall-st, and 181 Broadway.

### FROM WASHINGTON.

**Definitive Confirmation of the Naval Nominations—The Admission of Minnesota—Subsistence for the Utah Army, &c.**

Special Dispatch to the New-York Times.

WASHINGTON, Wednesday, Jan. 20.

The Senate, to-day, voted down the pending motions to reconsider the confirmations of Naval officers, recommended by the Courts of Inquiry, and thus definitely confirmed every such nomination which was pending.

The Territorial Committee will vote on the admission of Minnesota to-morrow. S.

[FROM THE REPORTER FOR THE ASSOCIATED PRESS.]

WASHINGTON, Wednesday, Jan. 20.

The War Department has asked Congress for an appropriation of $1,224,000, to pay for four millions eight hundred and eighty thousand rations, for the subsistence of the Utah expedition for twenty months from the 1st July next—that amount being required for 5,606 soldiers, 200 women, 300 servants, and 1,894 employes—aggregate, 8,000.

The Sergeant-at-Arms of the House has dispatched Deputies for the witnesses to appear before the several Special Investigating Committees.

The Senate in Executive Session to-day confirmed the remainder of the Naval nominations made, pursuant to the recommendations of the Naval Courts of Inquiry.

## XXXVth CONGRESS.....First Session.

SENATE ...WASHINGTON, Wednesday, Jan. 20.

Mr. IVERSON introduced a bill to increase the efficiency of the Army and Marine corps, by retiring disabled officers. Referred to the Committee on Military Affairs.

Mr. IVERSON gave notice of his intention to introduce a bill to change and regulate the mode of appointing cadets to the Military Academy, and to modify the laws relative to that establishment.

Mr. HALE resumed his remarks from Monday, and commented on two of the positions held by the Superior Court in the celebrated Dred Scott case. First, the Court affirm the right of property in slaves is of the same nature as the right to all other property. Secondly, that the right to hold this description of property and to traffic in slaves at the time of the American Revolution and adoption of the Federal Constitution was so universally recognized and acknowledged by both England and this country that no man ever thought of disputing it. He took issue on both these points. The legal principle was unsound and unsupported. What purported to be the statement of a fact was equally unsupported by both truth and history. The first proposition was more distinctly and fully expressed in the Lecompton Constitution—where it declared that "the right of property is before and is higher than any constitutional sanction, and that the right of the owner to the slave and to such slave and its increase is the same, and is as inviolable as the right of the owner to any other property whatever." He had a higher respect for the Lecompton Convention, than for the Supreme Court, because the Convention had been more explicit than the Court in stating just what they meant. He did not deny that in States tolerating Slavery, that there was legal property in slaves. In some of the Free States there was a qualified property in human beings. In New-Hampshire criminals were sent to the Penitentiary for the public good, and anybody might contract with the Warden having the custody of these prisoners for the use of their labor. The laws recognize his right to the labor of the convicts, and he can take them where he pleases within the jurisdiction of the State—but if he should cross Connecticut River and undertake to make them quarry marble in the Green Mountains of Vermont, his right to their labor would immediately cease. Precisely similar was the right of the slaveholder to the labor of his slaves. It is a legal right where Slavery exists by law, and nowhere else. The moment the slave goes beyond the jurisdiction which imposes the servitude, that moment he is free. There was an essential difference between the right to the labor of human beings and the right to property in inanimate things and in the brute creation. A man may go all over the world with a horse, and everywhere, both among civilized and savage nations, his right to the ownership will be respected. This right does not depend upon the existence of statute law, but because by the universal consent of mankind, a horse is the subject of property. When the horse was created he was made to be a property, and man was made to own him. The right to do so dates back to the earliest period of recorded time. When God created the earth and gave it to man to cultivate, and filled the land with cattle and the sea with fish, and the air with fowls, God also gave man dominion over the cattle and the fish and the fowls, but He never gave him dominion over his fellow man. He reserved his last and greatest work for his own peculiar worship. This distinction had been recognized by every writer who ever wrote on the subject, and by no States more clearly and decisively than Virginia, Maryland, Louisiana, and other Slaveholding States. It had been also recognized by the unanimous concurrence of every member of the Supreme Court of the United States, and in support of his argument he read extracts from various authorities.

During his remarks, Mr. HALE declared that, if the attempt be persisted in to force the Lecompton Constitution on the people of Kansas, he hoped that they would fight, and resist even unto blood and death.

Mr. HARLAN obtained the floor.

The further consideration of the Kansas question was postponed until Monday next.

The Senate then adjourned.

### HOUSE OF REPRESENTATIVES.

WASHINGTON, Wednesday, Jan. 20.

Among other bills introduced was one by Mr. SCOTT, providing for the better security of board vessels navigating the ocean, propelled in whole or in part by steam. He stated the bill had for its basis the memorial of the Underwriters of New-York.

Referred to the Committee on Commerce.

Mr. MCKIBBEN introduced a bill granting alternate sections of land to California for railroads of that State.

Mr. DAVIS, of Massachusetts, introduced the French Spoliation Bill.

The Speaker laid before the House the resolves of the Nebraska Legislative Assembly, stating that a very large majority were legal voters of the Territory, who voted for Mr. FERGUSON, whose seat as delegate was contested by Mr. CHAPMAN, and repelling certain aspersions that had been cast on Mr. FERGUSON's character.

The following compose the Committee to which is referred to bill to divide the Clerks and Messengers of the Departments at Washington among the States and Territories *pro rata*:

Messrs. ROBERT SMITH, SEWARD, KELSEY, PENDLETON, GILMAN, CLEMENS and ANDERSON.

The House went into Committee of the Whole on the President's Annual Message.

A debate took place on the proposition to refer so much of the Message as relates to the Pacific Railroad to a Select Committee, during which

Mr. MAYNARD said such a road was recommended in the Cincinnati Platform, and in the Inaugural and annual Message of the President. It was as much a part of the programme of the Administration as the acquisition of Cuba and the Protectorate of Central America. [Laughter.]

Mr. GREENWOOD—Such a road would be constitutional and proper. Congress had talked enough about the subject, and ought now to act. He had a preference for one route, but preferred to vote for almost any other, rather than have none at all.

Mr. BENNETT, of New-York, offered a substitute, proposing to refer the subject to a Committee of thirteen, designating the number respectively to be appointed from each section of the Union, according to federal representation. He remarked that such a Committee would not be likely to favor the executive or certain leading gentlemen's plans, but would make a fair report. He did not believe a Southern route practicable. New-York is more interested in the road than the whole South, and three-fourths of the business with California is at the north of Virginia.

Mr. LETCHER said that as there seemed to be a desire to nurse this bantling, he preferred that it should go to the Committee on Roads and Canals, the Chairman having nothing else to nurse unless the House gave him this. [Laughter.]

[NOTE BY REPORTER—Mr. JONES, of Tennessee, the Chairman, is a bachelor.]

Mr. LETCHER observed that so far as he was concerned he was opposed to a Pacific Railroad, whether recommended by the President or by anybody else.

Mr. HARRIS, of Illinois, said that he had an objection to the source (meaning Mr. BENNETT of New-York) whence came this proposition to divide the Union into patchwork. He supposed the gentleman from Virginia (Mr. LETCHER) would not be read out of the party for opposing the President's views upon this subject, because he was not an aspirant for the Presidency. If he were, the Washington *Union* and other papers would be attacking him.

Mr. WASHBURN, of Illinois, was for a Pacific Railroad, earnestly, sincerely, and in good faith. He did not care from what side the proposition came, nor to whom the credit would be attributed.

Mr. HARRIS—Will you vote for the Southern route?

Mr. WASHBURN—That will depend upon circumstances, but as far as I am concerned, I will vote for no route unless it is fixed by law. I voted for the Wagon route to the Pacific, but instead of the route being left to the contractors, it was selected by the Administration.

Mr. PHELPS earnestly appealed to gentlemen to cease talking and vote.

Mr. FLORENCE advocated the sending of the subject to the Committee on Roads and Canals. Because the Chairman did not believe in the constitutional power to construct railroads, it did not follow as a consequence that a majority of the members of that Committee believed with him.

Mr. MILLSON confessed to so much bluntness of intellect as not to see in what part of the Constitution such power is conferred. He wanted a Select Committee to report the fact for general information.

Mr. SEWARD thought the subject ought to be referred to the Committee on Revisal and Unfinished Business, for it had been here ever since he had been in Congress. Gentlemen seemed to differ—therefore the subject ought to be reviewed and revised. He knew of no better reference.

Mr. DAVIS, of Maryland, for Mr. MILLSON's information, said the power to construct the road was found in the Constitution, under several clauses, and quoted JEFFERSON, MADISON and JOHN QUINCY ADAMS as signing bills for internal improvements.

Mr. LEITER said this subject should be considered not only as to its practicability, but its constitutionality. The Constitution granted no power to build a Railroad. If Democratic doctrine prevails, there is an end of the matter. He congratulated the Democracy that the President has recommended a policy which the party has earnestly resisted for the last twenty-five years.

The Committee of the Whole, after rejecting all the pending resolutions, adopted one that so much of the President's Message as relates to the Pacific Railroad be referred to a select Committee of fifteen, with power to report by bill or otherwise.

The Committee rose, when the resolution heretofore considered, referring the various branches of the Message to the appropriate Committees, was concurred in,—the one relative to the Pacific Railroad by 136 against 60.

The House then adjourned.

**The Proposed Location of the Pacific Railroad—Increase of the Army—The Return of Commodore Paulding—The Late Doorkeeper of the House, &c.**

From Our Own Correspondent.

WASHINGTON, Tuesday, Jan. 19, 1858.

It will be noticed that the Pacific Railroad bill, reported to-day by Dr. GWIN, from the Senate's Select Committee on that subject, looks to the location of the road along the great Central Emigrant route. If this bill becomes a law, the Central is the route sure to be selected, unless it should prove to present insurmountable physical difficulties, which is not anticipated. I understand that the President prefers a different plan, in some respects, which may result in some collision in Congress, but is not likely to jeopardize the measure. Mr. BUCHANAN is in favor of a direct appropriation of say ten millions of dollars, and liberal grants of land, for the construction of a military (rail-) road through the Territories alone, to connect the States of the Atlantic with California. If this plan should be adopted, it would inevitably make the road over the Southern route *vid* El Paso, on the Western boundary of Texas, and the mouth of the Gila River—for that is the point at which California comes nearer to an Atlantic State than at any other. For this reason it will be earnestly advocated by Southern men,—and as stoutly opposed throughout the North and West. I should judge that the bill reported by the Committee will pass, without material modification.

In connection with this subject, it may be appropriate to state that Mr. BRODERICK, of California, proposes the introduction of a bill authorizing the establishment of military posts one hundred miles apart all the way across the plains and mountains, *vid* the California Emigrant route. This protection to the overland route is exceedingly desirable, and would give an impetus to California immigration of vast importance to that State. Around these posts, too, little villages would spring up, and the line in a few years would thus become settled, and the railroad, magnetic telegraph, and travelers would find abundant protection thenceforth even without military aid. Senator BRODERICK will deserve well of his constituents if he takes up this idea and presses it towards consummation with the energy and strong will which mark his character.

The proposition to add four or five additional new regiments to the regular army, does not seem to gain strength in Congress. So far as can be judged from superficial indications, there is a settled hostility toward any increase of the army in that way. I confess it seems to me that this hostility is unwise. If we had any occasion, ten years ago, for a regular army of seven thousand men, we need one nearly twice as large now, simply because we have added so largely to our inhabited borders, and traveled territory. Any man who has had occasion to watch the movements of the army of late years, cannot have failed to notice its utter inadequacy to the swollen necessities of the country, even when there are no troops in Kansas beyond those absolutely essential to protection from external enemies. In Texas and New-Mexico, for instance, our troops are from sheer necessity solit up into such small fragments, that scarcely a garrison can leave in post men enough to protect it, and yet send out a force sufficient to check and punish Indian depredations committed just in sight; and army officers, on distant and arduous duty, are, because of the paucity of their present numbers, kept in active service much more continually than is reasonable or desirable.

The increase poposed is a necessity independent of the present emergency in Utah—for which, the very general opinion in Congress seems to be that a volunteer force is the most suitable. It may be that discussion will convince Congress of the propriety of increasing the regular army in the mode proposed; but the present indications are that whatever increase is authorized will be by adding to the number of men in the companies already organized. If additional regiments shall be found necessary for service in Utah, the disposition certainly is to authorize volunteers merely, for that special service. The objection made to this by the Administration is that volunteers cost much more than regular troops. That cannot be, if they are mustered into the service of the United States under regulations stringent as those governing regulars. But even if they do cost more, the little increase of money expense is nothing compared with the saving of blood which would result from the speedy ending of the Utah war by the employment of California volunteers, whose superior energy and promptness would make one regiment of them equal to two composed of such "food for powder" as constitutes a very large proportion of our regular army.

Why would it not be a good plan to enlist volunteers in California to serve in the Utah campaign,—with a condition that when it was ended, as many of those who are honorably discharged as may choose to do so, shall be mustered into the service of the United States as military colonists, for two, three, four or five years, to settle in the beautiful valley of Salt Lake, and all along the emigrant route across the Plains? To these, liberal grants of land might be made, with supplies of ammunition, and soldiers' rations, with the privilege of commutation. No service would be required, except to keep up military organization by occasional drill service, and by the communication of each settlement with its neighbors on either side once every two or three days, according to the distance, except in the event of Indian outrages, or any other event requiring special military service, in which event every colonist should be at the command of the officers scattered along at the military Posts which Senator BRODERICK proposes to have established. By the adoption of some such plan as this we should soon become as familiar with the great interior territory of our Continent, as we are with the border, and a chain of healthy settlements would spring up all the way from the Missouri River to the Pacific Ocean. These suggestions are a little crude, perhaps, but Mr. BRODERIDK, or any other gentleman of his experience and ability, can readily give them proper shape and form.

I was not wrong in anticipating the return of Commodore PAULDING in his own ship, and that the necessity of relieving him from the command of the Home Squadron would be obviated by a departmental order ending the cruise of the *Wabash*. The *Colorado* has been put in commission at Norfolk, and is now preparing to take post in the Home Squadron as the flagship. I should not be surprised if the *Wabash* is sent to sea again ere long, to carry Capt. T. J. PAGE and the officers and men of the Paraguay Exploring Expedition out to their destination. Will it also carry out a special Minister to Paraguay? Not improbably.

Still another Committee of investigation! This time it is ordered for the purpose of examining the accounts and conduct of Capt. DARLING, late Doorkeeper of the House of Representatives. The wonder is that the party referred to has escaped this ordeal so long. Unless public rumor, in very substantial form, shall prove to be very far out of the way, the revelations of this investigation will fully vindicate the strictures of your correspondent in regard to that personage nearly two years ago, and on more than one occasion since.

A brilliant and fashionable audience graced the Washington Theatre last evening to give greeting to DION BOURCICALUT and "AGNES ROBERTSON." BOURCICAULT gave us *Sir Charles Coldstream*, in "Used Up," and "AGNES" bewitched her audience with "Milly, the Maid with the Milking Pail." A more exquisite performance, in every respect, would be looked for in vain. Actors, costume, scenery and all were surpassingly fine. Already the capacity of STUART and BOURCICAULT's establishment here is tried to the utmost; and so it is sure to be so long as they afford such elegant entertainments.

M. B. BRADY, the celebrated New-York photographist, has returned hither, and is fitting up a magnificent suite of rooms on Pennsylvania-avenue, for the prosecution of his art. He will secure many valuable contributions here, doubtless, for his New York establishment. S.

**Congressional Grants to Western Railroads.**

From an Occasional Correspondent.

WASHINGTON, Monday, Jan. 18, 1858.

There has been a great deal said of the means used to secure from Congress grants of land to railroads in the Western States. The records of the Supreme Court of the State of New-York, for the City and County of New-York, present a case which has recently been brought before that Court, in which disclosures are made that bear most strikingly upon one of those land-grants, and furnish a flood of light by which what was theretofore in mystery may be understood, and which the present Congress and the public should possess. The case referred to is that of an individual who has lately commenced a prosecution, by suit at law, against the Directors of the Chicago, St. Paul and Fond du Lac Railroad Company, to enforce the payment of three of the first mortgage bonds of that Company. Marvelous enough, a defence has been interposed which does a wondrous tale unfold concerning the means and appliances by which the grant of land to Wisconsin, designed to inure to the benefit of the road named, was obtained. That defence, a pleading in the action in the form of an answer to the complaint therein, sets forth "that on or about the 14th day of May, in the year 1856, an application was pending before the Congress of the United States of America for a grant of land, in alternate sections, to the State of Wisconsin," &c., "which application the said Company favored in the hope of having said lands ceded by the State of Wisconsin to the said Company," &c., "and that *the Bonds in the said complaint mentioned*, with the coupons attached thereto, were delivered" to an individual named, "*to be used and disposed of in his discretion, if said grant should be obtained.*"

Now, in this statement, admission or confession, three things, at least, are clearly manifested, which, prior to the revelation so made, were kept very studiously concealed:

1. That the Chicago, St. Paul and Fond du Lac Railroad Company was represented near the last Congress, by a contingently purchased influence.

2. That the means of the said Company were put up, in a large amount, to secure the passage of the Wisconsin Land Bill through that Congress, and, by the condition annexed in the shape of a contingency, in a manner calculated to render them most effective for the accomplishment of the desired object; and,

3. That the particular means which were so employed by the said Company were its first mortgage Bonds, with coupons attached, which, the history of the time shows, were then deemed to be of *par* value, with the probability of being made to yield a handsome premium, and therefore were equal to, if not actually better than, hard money.

These disclosures are wonderfully illuminating, not only as it regards the particular grant in question, but indirectly in respect to other land-grants which were made by the last Congress, designed to inure to the benefit of certain railroads or railroad Companies. They are of exceeding value to the present Congress in the way of warning, and it is hoped will be so far heeded as to impell to the most rigid scrutiny all applications that may come before it asking lands ostensibly for great public objects, either of a State or national character, even if they do not lead to a revision of some grants heretofore made. W.

**A View of Public Affairs, in which President Buchanan will be Interested.**

*From the Charleston Mercury.*

WASHINGTON, Sunday, Jan. 10, 1858.

There is a general rolling over of things in Washington, and it is difficult to see the light. The Kansas, Utah and Nicaragua imbroglios are condensed together, and they are producing a general chaos. The fillibuster and Utah matters, however, may be put aside for the moment, except so far as they become entangled in their active influences with Kansas. The great question now pressing upon public men here is the admission of Kansas under the Lecompton Constitution. The struggle upon this point will be bitter and desperate. *It is clear that Kansas can only be admitted through the active and determined support of the Administration, and but for this the President would have been more roughly handled in the late debate, both in the House and Senate, upon the connection of the Administration with the unlawful capture of General Walker upon the soil of Nicaragua by Commodore Paulding.* The Administration is now weak, and the Southern men are very anxious to strengthen it, *so as to make its efforts in behalf of the admission of Kansas, under the Lecompton Constitution, more influential.* This will account for their ignoring other issues in which they differ from the President.

The position of things is strange. Mr. BUCHANAN has been fighting against the South all Summer in resolute and desperate efforts to make Kansas a Free State, and Judge DOUGLAS has been siding with the South in insisting upon the legality of the acts of the Territorial Legislature, and upon the sovereignty of the Convention. And now, what a change of position between them! Mr. BUCHANAN is with the South, and Judge DOUGLAS is with the Black Republicans. Both have changed. Mr. BUCHANAN did, last Summer, write a letter to Governor WALKER, in which he said to him, "*You must use all your influence to have the Constitution referred back to the people for ratification or rejection; upon this, you and I must stand or fall.*" This letter will soon be published. Judge DOUGLAS, last Summer, in his speech at Springfield, urged the sovereignty of the Convention, and its right to determine absolutely upon the Constitution of Kansas. His change is explicable. *Freesoilism is omnipotent at the North, and the admission of Kansas with a Pro-Slavery Constitution will be the destruction of the Democratic Party.* As one of its leaders, he will fall with it. To prevent this, he is struggling to abolitionize the Democratic Party. He is influenced by still another consideration. He has been a candidate for the Presidency since 1848. The North has had two Presidents in succession, and the South will not tolerate the nomination of the next one from that section by the Democracy. This postpones Judge DOUGLAS for seven years longer. A great cycle this in the life of a man now-a-days. DOUGLAS, then, is for change, confusion, anarchy, in order to advance himself. He is now appealing to the "Free North," and is preparing the way for a sectional fight. *It will come, and let it come.* But DOUGLAS is gone. If the bowstring was around his neck, and the sack prepared for his voyage down the waters of the Hellespont, he would not be more fatally gone. The Black Republicans will not put their standard in his hands—the South will not touch him—and the Administration will fight him. He will be defeated in Illinois for reelection to the Senate. Kansas will be admitted. *The next House of Representatives will be Black Republican*, and in 1860 we shall see—what? Things are drifting to confusion. The defection of DOUGLAS has done more to shake the confidence of the South in Northern men, than everything that has happened before. If he proved false, whom can you trust? The *Mercury* is right. Our failure to sustain our rights, has prostrated our friends at the North.

**Important from Kansas.**

RESULT OF THE ELECTION—A PRO-SLAVERY GOVERNOR, AND A FREE-STATE CONGRESSMAN AND LEGISLATURE—THE VOTE ON THE CONSTITUTION NOT COUNTED.

ST. LOUIS, Wednesday, Jan. 20.

The *Democrat* has just received Kansas letters to the 14th inst., stating that the returns of the elections on the 21st of December and 4th of January were opened by General CALHOUN on the 13th inst., in the presence of General DENVER, the President of the Council, and the Speaker of the House.

The vote on the 21st of December, for the Constitution with Slavery was 6,063, and for the Constitution without Slavery 526. Three thousand five hundred and sixty-two of these votes are said to have been polled in precincts containing not over a thousand inhabitants.

For Governor the vote was:

| | |
|---|---|
| SMITH, Free-State | 6,238 |
| MARSHALL, Democrat | 6,539 |

FOR CONGRESS.

| | |
|---|---|
| PARROT, Free-State, received | 6,623 |
| CABB, Democrat | 6,568 |

To the Senate 13 Free-State men and 6 Democrats are elected, and to the House 29 Free-State men and 14 Democrats.

The vote on the Constitution has not yet been counted.

Gen. CALHOUN says he shall not close the count now, but receive what other returns may be presented, although the eight days given for making the returns have expired.

The Territorial Legislature has provided a Commission to examine into the election frauds, and will provide for another Constitutional Convention.

The Topeka Legislature will enact a code of laws to be used in case of emergency, but which will not conflict with the Territorial authority.

### NEW-YORK LEGISLATURE.

SENATE....ALBANY, Wednesday, Jan. 20.

NOTICES OF BILLS.

By Mr. SLOAN, to amend the charter of the Citizens' Insurance Company. Also, to repeal the usury laws. Also, incorporating the Long Island College Hospital.

By Mr. WILLIAMS, to amend the statute relative to obtaining money under false pretences. Also, to amend the law relative to State Prisons.

By Mr. BRANDRETH, restraining taxation within certain limits.

BILLS INTRODUCED.

By Mr. MATHER, allowing aliens to hold and convey real estate in the same manner as native-born citizens.

By Mr. NOXON, for securing the better protection of personal liberty by due process of law.

Mr. SLOAN's concurrent resolution, that the Senate nominate the Regent of the University on Tuesday, Feb. 6, was laid over.

The joint resolutions that the late State Engineer be allowed till March next to complete the railroad statistics, were carried.

The Governor's Message submitting the report and map from Professor BACHE, of the Coast Survey of the Harbor of New-York, recommending an additional appropriation of $4,100 to complete the same, was received. Also a report from the Pilot Commissioners concerning their doings in the past year, and containing recommendations for laws as to the dredging slips, building of wharves, &c.

The bill relative to assessments for local improvements in Brooklyn was ordered to a third reading.

The Senate then went into Executive session.

ASSEMBLY....ALBANY, Wednesday, Jan. 20.

The motion pending being to elect a Speaker by plurality, Mr. ADAMS took the floor, and in a temperate speech objected to the resolution,—first, because it is unfair to the parties in a minority separately, but a majority of the House when combined; second, because it is unprecedented here, and in contravention of the usages of this House. He did not believe Messrs. BARNES and STEUDEN spoke for the masses of the Republican Party when they denounced and repudiated the Americans. There had been a union in his district, and the Republicans had held soft words and honeyed phrases to the Americans before the election; and he could not believe that they would so soon prove false to all their pledges and professions.

Mr. EETT spoke in favor of the resolutions against union with the Americans.

Mr. LAW opposed the resolution, and justified the course of the Americans, on the ground that they had offered every concession for the purpose of union on organization, not alone by the election of part of their own candidates, but also by an equitable division between the Democrats and the Republicans.

Mr. BARNES justified the position he held yesterday.

Mr. MOORE, of New-York, made a speech, in which he declared that the Democrats could never help to raise to power the party which had oppressed Democrats and outraged democratic principles last Winter.

The debate was continued by several others; and on a motion to lay the plurality rule on the table it was adopted.

After tabling the resolution to elect by a plurality vote, an attempt was made to take a vote for Speaker.

Mr. MCNETT offered a compromise resolution for electing all Democrats and Republicans—tabled.

The House then adjourned till to-morrow.

**Attempted Compromise between the Republicans and Americans.**

ALBANY, Wednesday, Jan. 20.

It is understood that the Republicans have entertained a proposition from the Americans to withdraw Mr. RICHARDSON and take up another candidate for Clerk acceptable to the Americans. The Republicans are now in caucus, and the proposition excites warm debate. The proceedings are of course private.

**The State Military Association.**

ALBANY, Wednesday, Jan. 20.

During the session of the State Military Association to-day an ineffectual effort was made by Col. KING for the passage of a resolution providing for the appointment of a Committee to amend the military laws of the State.

A resolution was unanimously adopted against any change in uniforms being allowed, except to the regulation uniform.

A resolution was adopted, that no officer owing dues be allowed to join the Association till all arrears are paid.

A resolution, seeking the disbandment of independent Companies, was tabled by a large vote.

The constitution was altered so as to make Albany the permanent place for holding the annual meetings of the Association.

The report of General SWAN, taking the ground that the Charters of independent companies were destroyed by the militia law of 1847, was adopted.

Major H. S. LANSING, of the 1st Brigade, was elected President for the ensuing year; Col. G. W. PRATT, of the 20th Regiment, Recording Secretary; Col. LADUE, Corresponding Secretary, and Col. DURYEA, 1st Vice-President.

The military display to day was very fine. The Burgesses Corps, of this city, the Troy Citizens' Corps, and the Utica Citizens' Corps—all independent companies—made a splendid show, particularly the Burgesses, and had an effect on the action of the Association respecting the disbanding resolution.

The New-York Company of the 71st Regiment made a fine appearance, and was much admired. They returned to-night, being escorted to the cars by Company B., the independent companies acting an escort to the whole.

**Attempted Lynch Law in Indiana.**

CHICAGO, Wednesday, Jan. 20.

Two men who attempted the robbery of a store at Leganier, Indiana, on the 18th inst., were caught in the act and hung by the people. They were, however, cut down before they were dead, when it was decided by a small majority to deliver them over to the authorities. They will be taken to Indianapolis to-morrow for trial.

**The Albion Cooper Murderers found Guilty.**

PORTLAND, Me., Wednesday, Jan. 20.

In the trial of ABRAM COX and PETER WILLIAMS, for the murder of the officers of the brig *Albion Cooper*, before the United States Circuit Court, the Jury brought in this afternoon a verdict of guilty. The Court then adjourned until to-morrow, to give the counsel for defence an opportunity to file a motion for a new trial on the ground of the inadmissability of the defendants' confessions as evidence.

**Railroad Accident.**

CORNING, Wednesday, Jan. 20.

The express train which left New-York last evening on the Erie road was thrown from the track about two miles east of this place by a broken rail. Several passengers were slightly bruised, but not seriously enough to prevent them from proceeding on their journey.

**Burning of a Large Flour Mill.**

VINCENNES, Ind., Wednesday, Jan. 20.

The large steam flour mill in this place, owned by Messrs. MASS & MANWARRING, was destroyed by fire, together with all its contents, last night. The mill caught fire from a furnace. The amount of the loss is $12,000, and the insurance about $7,000.

**Last Act of Governor Pollock.**

PHILADELPHIA, Wednesday, Jan. 20.

The last act of Governor POLLOCK was the pardoning of JOHN CAPIE, who, six years since, was implicated with EMMONS in killing a man in a street brawl in Southwark.

**United States Supreme Court.**

WASHINGTON, Wednesday, Jan. 20.

No. 39.—Argument continued for defendants and concluded for plaintiffs.

No. 40.—Wm. T. Hungerford *vs.* John Rigerson. Argument commenced for the appellant and continued for the appellee.

**Weather Reports.**

By the Northern, Eastern, Western, and Southern Telegraph Lines—Office No. 21 Wall-street.

WEDNESDAY FORENOON, Jan. 20.

OSWEGO.—Cloudy; wind south. Therm. 30°.
MONTREAL, 8 A. M.—Cold and clear—thermometer stood at zero. A loaded team was lost at Longueuil whilst crossing on Monday afternoon by breaking through the ice. The driver escaped.
QUEBEC.—Clear; wind north. Thermometer 4°.
EASTPORT, 8 A. M.—Clear; wind northwest. Ther. 4°
CALAIS, 8 A. M.—Clear and cold; wind northwest. Thermometer 2°.
BANGOR, 9 A. M.—Clear; wind northwest. Ther. 17°.
PORTLAND, 9 A. M.—Clear and pleasant; wind northwest. Thermometer 14°.
PITTSBURG.—Cloudy. Thermometer 34°.
TOLEDO.—Clear. Thermometer 36°.
BUFFALO.—Clear; wind West. Thermometer 29°.
CLEVELAND.—Hazy; wind southwest. Ther. 32°.
SPRINGFIELD, Ill.—Clear. Thermometer 28°.
CAIRO.—Clear, pleasant. Thermometer 43°.
FULTON, Ill.—Clear. Thermometer 24°.
BURLINGTON, Iowa.—Clear. Thermometer 25°.
ROCK ISLAND.—Pleasant. Thermometer 28°.
JANESVILLE, Wis.—Clear. Thermometer 22°.
PRAIRIE DU CHIEN.—Clear. Thermometer 25°.
ST. LOUIS.—Clear, pleasant. Thermometer 35°.
DUBUQUE—Clear. Thermometer 25°.
CHICAGO—Clear. Thermometer 28°.
MILWAUKEE—Clear and pleasant. Therm. 30°.
PORTAGE CITY—Clear. Thermometer 17°.
FON DU LAC—Clear. Thermometer 12°.
LOUISVILLE—Very foggy. Thermometer 40°.
INDIANAPOLIS—Clear. Thermometer 46°.
TORONTO—Clear and pleasant. Thermometer 30°.
DETROIT—Clear and pleasant. Thermometer 23°.
PHILADELPHIA—Clear; wind west. Therm. 40½° at 12 M.

EVENING—6 P. M.

ROCHESTER.—Clear and pleasant. Thermometer 37°.
BUFFALO.—Clear and cool. Thermometer 37°.
SYRACUSE.—Clear and pleasant, but cold.
AUBURN.—Mild and cloudy; wind southwest. Thermometer 36°.
UTICA.—Clear and cool; wind southwest.
ALBANY.—Clear and mild. Thermometer 31°.
SCHENECTADY—Clear and pleasant; wind west. Thermometer 34°.
TROY.—Clear. Thermometer 30°.
DUNKIRK—Mild and clear.
HORNELLSVILLE.—Clear and pleasant; wind northwest.
ELMIRA.—Mild and clear.
PORT JERVIS.—Beautiful day; very mild.
BOSTON.—Clear and pleasant. Thermometer 30°.
PORTLAND.—Clear; wind northwest. Thermometer 28°.

**Almost a Murder—A Carman Shoots the Suspected Seducer of His Child.**

A great deal of excitement was created

### Perils to our New-York Harbor.

*To the Editor of the New-York Times:*

Of late years this interesting subject has occupied the attention of our merchants and those taking an interest in the prosperity of our City. In this morning's TIMES, with the above caption, you publish the fears that are entertained for the permanence of our noble harbor. You speak of the "silt" which is constantly being carried down by the tide, and filling up, or rendering certain channels more shallow. I would beg to remind you that the Hudson River and our harbor have existed a few years longer than the memory of the "oldest inhabitant," that the river washes the sides of a peculiar geological formation, a distance (both sides) of six hundred miles or more in one line. For thousands upon thousands of years, crumbling mountains, "silt," particles of earthy matter, the washings of hill-sides, of meadows, and, of late, the refuse of cities on its borders, have tumbled their way into the turbid stream; yet it bears upon its noble breast the largest ships that ever graced the bosom of the Ocean. Millions, nay, billions of cubic yards of this detritus and matter have been conveyed away by rains, rushing torrents, and the natural wear of water upon the land, into one stream. Where has all this *detritus*, &c., been carried? Most certainly it has not choked up our harbor, for Colonel DE VOE'S collection of historical facts shows that cattle (some two hundred years ago) at low water *waded from this Island over to "Nutten," now Governor's, Island.* It is well known that the Buttermilk Channel a few years since was scarcely a streamlet. Now, either the rush of waters, *i. e.*, current, must have worn deeper channels, or the encroachments of streets, docks and slips upon the bed of the river has cribbed the water from its wide-spread original breadth into their present splendid navigable depths.

Whether the contraction of a few yards of the superficial breadth of the rivers for the length of a few thousand feet of their outlines on either side of this Island, can effect a change and cause a deposition of *sand* of 2,532,000 cubic feet in Gedney's Channel, I am not philosopher enough to decide, inasmuch as all the original wide-spread water (as does now the cribbed water) flows through the same unfettered natural channel known as the "Narrows." It has not been shown whether the current through this channel has been increased or decreased by the encroachments upon our harbor. If the current has been *decreased* in velocity, it will account in one way for new deposits; if the force of the current has been increased, it will account in another way for deposits or changes made in the channels. The knowledge of Gedney's channel is of a few years only. How long previous to GEDNEY'S discovery may this channel have existed? if it existed at all?

A certain quantity of water, by natural laws, is impelled into our harbor, and this water finds its outlet into the sea through a single narrow channel. This water *must* have a certain *width* or *depth* (space) to permit its egress. If the passage be not of sufficient magnitude, rest assured, natural laws will enable the onward force of the water, either to cut its own deep channel or overflow the land sides, in spite of man's encroachments. We have no proof that the channel at the Narrows has been deepened or its sides overflown. It appears to maintain its usual appearance, and if I may so term it, equanimity of purpose. We have no proof that the water in the lower bay encroaches on the land consequent upon the depositions of "silt" and other *detrital* matter. But, on the contrary, we have it demonstrated that the land encroaches on the sea, or in other words, the water does not reach so high, tidal or otherwise, as it formerly did.

The laws governing deposits at the mouths of harbors of "silt" and *detritus* of the land, and thereby forming shoals, bars, channels, &c., so far, are little understood. The study of these laws are of exceeding modern date. The physical existence of these shoals, "oars," and channels, have been accepted as natural facts. The physical shifting of shoals, bars and "shifting sands" have been accepted as interesting phenomena, sufficiently elucidated by those who have had the best opportunities to observe the effects but not to study the cause, because they were accounted for, simply as being changed by the currents; nothing more was thought about cause and effect.

The currents of the ocean, sweeping with tidal force into our inlets and harbors, are just as and more likely to wash *inward* the shifting sand, and deposit 2,532,000 cubic feet in Gedney's channel, than the *alluvial detritus* of our meadows and mountain sides; and ten-fold more than the animal matter—for two-thirds of the filth of our cities washed into the harbor is animal matter, emptied into the rivers—a matter that is corruptible and eliminates gases, leaving very few light particles not at all likely to be deposited by any ordinary running stream. If this animal matter did deposit itself, it would cost the City ten times more to cleanse the common sewers than it does to clean the streets.

The river Thames and its outlet is a mere rivulet compared with our river, harbor and outlet. Its stream is not near as rapid as our own river. It has the "silt" of three hundred miles and the filth of the common sewers of all London and numerous populous villages, comprising over 3,000,000 of people and large areas of streets, &c. All that alarms the Cockneys is, the detritus and filth destroy the "white bait"—(fish)—and many have to drink the water. Notwithstanding hundreds of years have thus made the Thames a thickened, turbid stream, the laws governing currents and their wearing channels have enabled the largest ships to reach the seat of commerce of the world, even unto the *Leviathan*.

The stream of the Mersey has, under similar circumstances, enabled Liverpool, for hundreds of years, to hold her second commercial position. The six thousand miles of alluvial soil—detritus, silt, trees, snag, &c., &c., has not influenced the safety of the mouths of the Mississippi. The same laws that cut channels for other harbors of the world, will not treat the New-York Harbor any more scurvily than they do other places. The water of New-York must have an outlet, and if one channe gradually becomes choked, rest assured that another of equal magnitude will and *must* be found.

Very respectfully,
A. C. CASTLE, M. D.

NEW-YORK, Tuesday, Jan. 18, 1858.

### Executive Mansions.

ST. NICHOLAS HOTEL, New-York,
Wednesday, Jan. 20, 1858.

*To the Editor of the New-York Times:*

SIR: In your paper of yesterday, in reference to "Official Residences," you say:

"But the only official residence in our whole Union, we believe, is the White House in Washington, the palace of our President. Pennsylvania, however, is about to purchase a house for the residence of the Governor of that State, and if the bargain should be completed, perhaps all the other members of the Confederacy will be induced to follow the example of the Keystone State."

The object of writing this is to inform you that you have made a grave mistake, and one calculated to discredit the wisdom and intelligence of the people of Kentucky, who, in the exercise of common sense only, many years ago, provided a permanent mansion for the Governor of the State. This stately edifice was constructed of Kentucky marble, occupying spacious grounds on a beautiful street, and adorns one of the few interesting and romantic capitals in America. In this mansion the Governor of the Commonwealth entertains the people of one of the most wisely-administered States in the Union; and, in confirmation of this, on the present occasion, I need only to refer to the fact that the Executive Mansion is provided and maintained at the expense of the State, with a liberality characteristic of the inhabitants of that "ancient and honorable Commonwealth."

T. P. S.

### The City Poor.

*To the Editor of the New-York Times:*

That the mild season with which we have been so far blessed has in a large degree *mitigated the sufferings* of the poor, is not to be doubted, but that it has *lessened their number*, we may well question, when we peruse the "appeal" lately made by the Association for "Improving the Condition of the Poor." The number of worthy poor—all of whom must, according to the rules, have been residents of this country for at least five years—now receiving relief from that Association is 20,000! whereas we find that the number so relieved during the corresponding period of last Winter, only reached 7,000—*an increase of* 13,000 *over last year.*

It will, therefore, appear evident to you and your readers, that while mild weather will prevent hungry people from suffering to the *same extent* which they would with a foot of snow upon the ground, it does not *lessen* their numbers. And while we credit the mild weather with occasioning an alleviation of the sufferings of the poor, we must not forget to charge it with being the cause of the contributions to the Society above mentioned *falling off more than one-half within the past three weeks, while the applications for relief in the same time, have more than doubled.*

DIX.

### Miss Juliana May.

Of all the gifts with which Nature dowers her favorites, whereby to elevate, instruct, or enchant the world, the possession of unusual musical powers is surely, in one sense, the most thankless. To soothe, cheer, and make one's fellow-mortals happier is certainly an exquisite pleasure; but how fleeting and transitory are the triumphs of this heaven-born art. There must be years of steady labor, long hours of weary study, ere one possessing the "divine afflatus," the birthright of genius even, can come before the world an acknowledged interpreter of musical inspiration; and, at last, what awaits the artist? A breath, a few moments of rapture, and all is over. It may be that the voice has touched responsive chords in many a heart, that its tones may linger lovingly in many a memory; but there the artist's power rests and dies. No words, no canvas can convey to others a sense of delicious notes and warbling cadenzas; and the most glorious triumphs of a musical artist are at best but traditions. But so much the more do we owe it to our æsthetic benefactors, these perishable children of song, that full justice should be done to their peculiar excellences or extraordinary artistic qualities *while they are with us*; for it is *our* voice, our *present verdict* which will constitute their only future fame.

These thoughts have come to me while reading the various notices, in different cities, of the concerts of Miss JULIANA MAY, and her late brilliant successes, and I have smiled at the absurdly contradictory ideas of her attainments and vocal science, which will be presented to the readers of coming generations who may be seeking for some account of the musical glories of the past. Confounded and surprised at the extraordinary antagonistic manner in which *soi-disant* critics pronounce upon the most palpable points, the quality of her voice even, I beg you to lend me a few moments in which to give the public a more correct and just idea of the wonderfully-varied gifts of this young *cantatrice*.

First, as to the quality of her voice, which has been characterized under every known term, I believe, except *basso*, but is, in fact, a full high soprano *assoluta*, of extensive, even remarkable range, but with notes of contralto depth and richness, and a metallic sympathetic *timbre*, very rare in a pure soprano, which has led to the error of calling Miss MAY a contralto singer; a flattering mistake, however, proving the unusual combination of registers. I have never heard notes of more delicious sweetness than the middle register especially of her voice, which is throughout strong and clear, without break or creak; head and chest notes, contralto and soprano, melting into each other with an even equality unparalleled among the greatest living singers; for, while LIND'S *upper* register is the most marvelous known, the middle notes are weak and the lower ones poor.

In consequence of this magnificent natural scale Miss MAY'S execution is marked by the total absence of all effort, as she takes the highest notes with consummate ease; such as *re in alto*, in *Ah! non giunge*, which, by the way, she sings in the original key, rendering it, therefore, with the ringing joyousness intended by the composer, to whom *transposed* music is always a signal injustice. In easy and brilliant vocalization, flinging out the rich notes, as the Italians say, *con spontaneita*, and in the perfection of her intonation, she certainly is unsurpassed. Her method is pure Italian, and there are many unusual points of brilliancy belonging to that school which Miss MAY possesses in an unrivaled degree; such as her sparkling syncopated intervals, and the cadenzas and *fioriturі* in *Di placer*, which are exquisite—the flute variations of this aria especially, which were written for her by BORDOGNI, evincing very rare skill. In the cavatina *Ernani Involami*, I was much struck with those *staccato triplets*, which she takes with infinite spirit, and which are so seldom sung as written.

I have heard in Europe all that is good in vocalism, and have only given vent to my own appreciative delight in dwelling on Miss MAY'S beautiful *spécialités*, but I am also glad to have my opinion confirmed by orthodox authority. ROMAGNI said that she must have been born trilling and running chromatic scales, so perfect are these graces of song; while DUPREZ said of her, that "in *sostenuto*, *sotto voce*, and *crescendo* she has no equal," and he is the great musical arbiter, the most famed of French tenors.

Indeed, every *maestro* of present renown—ROSSINI, MEYERBEER, BALFE, HERZ—all have united in ardent admiration for Miss MAY'S great powers, hoping that she would devote herself to the lyric stage, and not confine her triumphs to the concert-room. For opera, indeed, she has chiefly studied, and any one who has heard the intense expression with which she renders *Robert, toi que j'aime*, must feel that only on the stage can her dramatic force be fully developed. And in declamation, in the recitative, for instance, of that exquisite *morceau* from "Lucia," *Regnava nel silenzio*, she is wonderfully effective, possessing with Italian purity this crowning requisite for a successful lyric artist.

It is with the earnest hope that our public may yet hear Miss MAY at the Academy that I have ventured to note the qualities which so eminently fit her for a Prima Donna, in which position I am confident she would at once electrify us by her combined musical and dramatic genius. I cannot forbear urging upon the energetic manager of the Academy to secure for himself the immense advantages which would accrue from an engagement with Miss MAY, who is fully prepared to appear at once in the best operas, and whose fresh voice, youth, and spirit would enthusiastically carry through the musical season.

AMATEUR.

### Aaron Burr's Papers—Mr. Weed's Reply to Mr. Parton.

*From the Albany Evening Journal.*

The first volume of DAVIS' *Life of Burr* was published some four months after the death of Colonel BURR. *When* published the "Correspondence" referred to *had* been destroyed. In saying that "as soon as Colonel BURR'S decease was known," the correspondence was destroyed, Mr. DAVIS, as he further says in his "Preface," intended to quiet an "intense solicitude for the suppression of letters that would have wounded the feelings of families more extensively than could have been imagined." Mr. DAVIS goes on to say:

"No sooner had the newspapers anounced the fact that the Memoirs of Col. BURR were to be written by me than I received letters inquiring into the nature of the revelations that the book would make. These letters came both anonymously and with known signatures. I *alone* have possessed the private and important papers of Col. BURR, and I pledge my honor, as far as I know and believe, that every one of them that could have injured the feelings of a female, or those of her friends, is destroyed. In order to leave no chance for distrust, I will add that I never took, or permitted to be taken, a single copy of any of these letters, and, of course, it is quite impossible that any publication hereafter, if any should be made of such papers or letters, can have any pretence of authority."

Colonel BURR committed his papers to Mr. DAVIS more than a year before his death. We were much with Mr. D. during the Summer of 1835, (BURR died in September, 1836,) having access then, as afterward, to this correspondence. We occasionally visited Colonel BURR with Mr. DAVIS, during his last sickness. He then boarded in Broadway, just below Wall-street, receiving hospitable and untiring attentions and kindness from one in whose pillow he had planted sharp thorns.

If by the words, "As soon as Colonel BURR'S decease was known," &c., Mr. DAVIS is held to have meant a day, or a week, or even a month, then Mr. PARTON'S criticism is just. But it, as we know, the attention of Mr. DAVIS was to affirm solemnly that he had destroyed "every vestige of that correspondence," then the discrepancy is one of form rather than of substance.

## THE STATE CANALS.

### From the Annual Report of the Auditor of the Canal Department.

REVENUES AND EXPENDITURES FOR THE FISCAL YEAR.

The actual revenues of the State canals, from all sources, annual in their nature, is presented in the following statement. The expenditures during the year, on all the canals, for charges caused by or growing out of them, with the expenses of collection, superintendence and *ordinary* repairs, are also stated below; and these exhibit, in brief, the condition of the resources of the State in respect to the canals.

RECEIPTS.

| | |
|---|---|
| From canal tolls | $2,529,865 88 |
| From rent of surplus waters | 1,938 50 |
| Interest on current canal revenues, &c. | 27,664 68 |
| Total | $2,559,469 06 |

PAYMENTS.

| | | |
|---|---|---|
| To superintendents of repairs | $620,079 30 | |
| To contractors of repairs | 141,963 69 | |
| To Canal Commissioners | 86,104 86 | |
| To collectors, for salaries, clerk hire and expenses of their offices | 75,267 84 | |
| To weigh-masters, for salaries, clerk hire and expenses of their offices | 7,779 10 | |
| For refunding tolls, printing, salary, and clerks of Canal Department and miscellaneous paym'ts | 39,258 67 | 970,453 46 |
| "Surplus revenues" | | $1,589,015 60 |
| Deficiency to be supplied by taxes | | 110,984 40 |
| Total | | $1,700,000 00 |
| Amount of taxes, act, chap. 66, Laws 1856 | | $350,000 00 |
| Amount of deficiency, as above | | 110,984 40 |
| Amount belonging to General Fund | | $239,015 60 |
| Amount belonging to Canal Fund | | 110,984 40 |
| Total | | $350,000 00 |

The sums set apart by article 7 of the Constitution to pay the interest and redeem the principal of the State debt, are as follows, viz.:

| | |
|---|---|
| For that part of the State debt called the Canal debt, under section 1, article 7 | $1,700,000 00 |
| For that part of the State debt called the General Fund debt, under section 2, art. 7 | 350,000 00 |
| Total | $2,050,000 00 |

The revenues of the canals have not during the year been sufficient to give a "surplus" to meet the first charge imposed by the Constitution, and there is a deficiency of $460,984 40 to cover the contributions required by the above named sections.

The difference in the receipts and payments, the two last years, is shown by the following comparative statement:

| | 1856. | 1857. |
|---|---|---|
| Receipts from tolls, &c. | $2,749,133 40 | $2,529,865 88 |
| Payments to Superintendents and Contractors of repairs | 606,932 38 | 762,042 99 |
| Payments by Canal Commissioners for repairs | 62,473 78 | 86,104 86 |
| Payments to Collectors, Weighmasters and Assistant Collectors | 82 623 88 | 83,046 94 |
| Refunding tolls, salaries, &c | 34,603 35 | 39,258 67 |
| Totals | $786,633 40 | $970,453 46 |

The steady and gradual increase in the cost of collecting the tolls should attract public attention, and a remedy should be applied.

OF THE RATES OF TOLL AND THE COLLECTION THEREOF.

The present rates of toll on the Canal are from 20 to 50 per cent. below a fair revenue standard; that is, the cost of transportation would bear this increase in the rates without any danger of diverting trade to other channels beyond the geographical limits of the State.

In the last Annual Report from this Department the Auditor suggested a revision of the rates of toll to the Canal Board. As that revision could not be effectively accomplished without the concurrent action of the Board and the Legislature, and the Legislature at the last session having failed to concur in the resolution of the Board fixing new rates of toll on sundry enumerated articles, nothing was done on the subject, and perhaps this was not very material, as the resolution of the Board contemplated a reduction in rates instead of an adjustment with a view to revenue simply, which the Auditor supposes is the first and most important duty of the State authorities towards the public creditors and the people.

There can be no doubt of the fact that the freight transit between the Western States and the Atlantic coast, through this State, is very much cheaper than any other route that has attempted a competition. The numerous lines of railroads running from west to east through Illinois and Wisconsin, connected with others in Missouri, Iowa, and proposed lines in Minnesota, and all of them touching the great inland lakes of the West, demonstrate very clearly the natural and legitimate tendency of the trade and freight traffic of that region. New-York, by her canals, and the railway lines connecting with Lakes Erie and Ontario, is and will be the thoroughfare through which this trade must pass, and this traffic be carried on.

Is it not a humiliating spectacle to see the State thrust into a competition for the carrying trade, oppressive to her people and ruinous to her competitors, or, if not ruinous to them, at least not very profitable, if we may take surplus revenues and surplus earnings as the rule to guide our judgment in matters of this kind? During the past as well as several of the preceding years, it has been quite apparent that if the rates of toll on several leading articles were kept up, the canals must lose the carrying trade of them. Take the article of flour, in barrels, as an example, which is a compact freight, and can be easily and cheaply handled and transhipped, and in which the canals have encountered a very active competition. The following statement shows the number of barrels carried on the canals in each of the years named, and the tolls received by the State:

| | Barrels. | |
|---|---|---|
| In 1851 | 3,853,472 | $646,402 |
| In 1852 | 3,773,815 | 643,249 |
| In 1853 | 3,439,389 | 565,744 |
| In 1854 | 1,550,491 | 222,472 |
| In 1855 | 1,569,303 | 213,692 |
| In 1856 | 1,212,231 | 146,633 |
| In 1857 | 850.000 | 102,816 |

The number of barrels carried in 1857, is estimated, and it is believed this estimate is rather above than below the actual quantity.

It has been well ascertained from official sources, that, in 1856, "more flour in barrels and sacks, the produce of this State, Canada, and from Lake Erie, was delivered at tide water than in 1851." With a view of retaining the transportation of this article to the canals, it has been suggested that the rate of tolls should be reduced from 3 to 1, or 1.5 mills, which would be equivalent to about 8 or 12½ cents per barrel, from Buffalo to tide water, according to the rate of reduction. We find in this statement a difference in tolls on this one article, between 1852 and 1857, and a loss of more than half a million of dollars, equal to one quarter of all the canal tolls received during the last season. This fact presents itself in bold and broad relief, to our consideration. The loss of half a million of dollars a year on one article, is an important fact, and it deserves and should receive the most serious consideration of the State authorities. If by the proposed reduction, or any other reduction in the rates on flour, the revenues can be increased, it is certainly very desirable the thing should be accomplished. But to preserve the transit of flour through this State, either by the canals or the railways, there is no necessity for this reduction. In other words we are not called upon to cheapen the carriage in order to retain the business, but we are required, it seems, to reduce the cost of transportation upon the canals to counteract the effects of railway competition, and must consequently throw the burthen and the loss, in the shape of taxation, upon the people. We cannot evade or avoid this without repudiating our contracts and nullifying the public faith.

In a revision and modification of the rates of toll on boats and property, some consideration in the opinion of the Auditor should be given to the fact that the rate of two cents a mile is charged on all boats used chiefly for the transportation of property, without any regard to the registered tonnage; and a boat of 20, 40 or 60 tons pays the same toll or duty for the right of passage as another of 100, 150, or even 250 tons. An artificial water way for a boat of 50 tons can be made at a much less cost than for one of 200 tons, while the latter has four times the capacity for business over the former; yet the toll or duty for the right of passage is the same on both boats for navigating the enlarged and most expensive canal. Now, if two cents a mile is a just compensation to the State for furnishing the means of passage to boats of any registered tonnage, is it equitable and right to impose the same toll on all without discrimination?

The number of boats navigating the canal has decreased since those of the larger size and capacity have been brought into use, and the tolls on boats alone in 1856 were $55,011 less than in 1852, notwithstanding there was a considerable increase of the total tonnage between those periods. When the existing rates operate to exclude business from the canals, it is no doubt the duty of the State officers to restore it by such reductions as will accomplish the object, but beyond this limit justice to the public creditors and to the people requires us not to go. The duty of laying tolls for revenue is enjoined by the Constitution, and the Auditor respectfully suggests and urgently insists, that there is no power vested either in the Legislature or the Canal Board, to permit any kind of property transported upon the canals to pass free of tolls, so long as the revenues are insufficient to meet the constitutional charges imposed upon them.

OF THE RESUMPTION OF TOLLS ON FREIGHT CARRIED ON RAILROADS.

In the last annual report from this Department, the Auditor felt it to be his duty to call the attention of the Commissioners of the Canal Fund to the condition of the canal revenues arising from tolls, and endeavored to show, by a series of comparative statements, the effect of railway competition upon the income of the canals. The past and present actual diminution of tolls, and the prospective results to be anticipated from a competition that can end only in the imposition of severe public burdens, seem to justify a further allusion to this subject.

The imposition of unnecessary burdens upon the trade and enterprise of the State, would find but few, if any, advocates; and the Auditor does not design to urge any proposition of that sort. The necessity of imposing tolls upon boats and property navigating and being transported on the canals, arises from a public obligation to provide the means to pay the interest and reimburse the principal of the Canal Debt, in accordance with a constitutional obligation; an obligation which cannot be repudiated or nullified, and the State maintain its credit in its hitherto high and enviable position. The only alternatives left, when the canal revenues do not yield a sufficient income to meet the charges upon them, are *deficiency loans* upon the credit of the sinking funds, or the *imposition of a tax upon the people*, to sustain the public credit and maintain the faith of the State.

The repeal of the act of July 10, 1851, releasing certain railroads from the payment of canal tolls on freight transported theron, seems to be called for by pressing considerations of public duty and policy, as well as by constitutional obligations.

The following statement shows the aggregate amount of tolls received on all the canals of the State, during the season of navigation, in the years named below, together with the annual charges for collection and superintendence, and giving the surplus in the third column:

| | TOLLS. | CHARGES. | SURPLUS. |
|---|---|---|---|
| In 1851 | $3,329,727 | $907,730 | $2,421,997 |
| In 1852 | 3,118,244 | 1,049,045 | 2,069,199 |
| In 1853 | 3,204,718 | 1,098,476 | 2,106,242 |
| In 1854 | 2,773,566 | 1,237,866 | 1,535,700 |
| In 1855 | 2,805,077 | 989,792 | 1,815,285 |
| In 1856 | 2,748,212 | 786,633 | 1,961,579 |
| In 1857 | 2,031,967 | 970,453 | 1,061,514 |

In this statement the fractions of the dollar are omitted, and it is proper to remark, that the costs for collection and superintendence are those ascertained at the close of each fiscal year, on the 30th of September; and, although not showing the actual charges for any one year during the season of navigation, yet when applied to a series of years, the aggregate will be found sufficiently accurate to present a fair comparative test.

The annual interest on the Canal Debt of 1846 has been, since the 1st day of January, 1856, $692,193 28, and this sum is chargeable upon the "surplus revenues," in the first instance, leaving the remainder of these "surpluses" to reimburse the principal as it falls due. The public creditor has a right to call for the payment of his bond in accordance with the stipulations upon the face of it, and it is the duty of the State to pay it. This duty implies a necessity which overrides all other considerations of duty or policy.

The canal stock debt of the State, due on the first day of July, 1858, is $3,058,605 34, and from whence are the means to be obtained to make this payment? According to the above table, the accumulated remainders of the "surplus revenues" since the first day of January, 1856, will not be sufficient for that object, and there is no rational probability that the surplus from the tolls of May and June, 1858, can make up the deficiency.

The fifth section of the seventh article declares that "if the sinking funds, or either of them, provided by this article, shall prove insufficient to enable the State, on the credit of such fund, to satisfy the claims of the creditors of the State as they become payable, the Legislature shall, by equitable taxes, so increase the revenues of the said funds, as to make them, respectively, sufficient perfectly to preserve the public faith. Every contribution or advance to the canals or their debt from any source than their direct revenues, shall, with quarterly interest, at the rates then current, be repaid into the treasury, for the use of the State, out of the canal revenues, as soon as it can be done consistently with the just rights of the creditors holding the said canal debt."

Under this section, it has hitherto been the practice, when the canal sinking funds have been insufficient to pay the interest and principal of the debt when the same were due, to make deficiency loans upon the credit of the funds "to preserve the public faith." If the position assumed by some strict constructionists of Constitutional law be correct, that equitable taxes can only be levied in aid of the sinking funds provided to pay the original debt, and that whoever holds any portion of a deficiency loan rely only upon "surplus revenues," without the aid of taxes, for his indemnity, is it not the duty of the Legislature to prevent the Commissioners of the Canal Fund from any longer obtaining money under false pretences?

But the questions now presented are, did the Legislature, in passing the law of 1851, act within its constitutional power, and, if so, then it is expedient to resume the tolls then released, for the purposes of increasing the canal revenues and aiding in the preservation of the "public faith?" The Auditor has seen no reason to modify the suggestions thrown into the former report on this subject, and he regards the alienation of the income or tolls of the canals, either directly or indirectly, as equivalent to a sale, lease, or other disposition of the canals themselves. In considering this subject we may inquire whether, in 1851, the Legislature could grant the power of transporting property without the payment of tolls at canal rates to a railroad company whose line run along and parallel with the canal, and whose charter in 1846, at the adoption of the Constitution, expressly prohibited such company from carrying or transporting freight or property of any description except the personal baggage of the passengers? If such a power does exist, the inhibition against the sale and disposition of the canals amounts to an entailment and perpetuation forever of a burden upon the State whenever it might please the Legislature to frame such a law as would impose rates of toll on boats and property that would effectually exclude all navigation and transportation from our navigable waters. The tolls cannot be reduced below those fixed in 1832, except by the concurrent action of the Canal Board and the Legislature, but the power to raise them to any extent is entirely within the legislative control.

Should the Legislature alone impose such rates of toll on the canals as would effectually drive the business from them, could such an act be sustained as constitutional? Would not the act clearly violate the rights of the public creditor to whom the tolls are pledged for the payment of a debt? Should the Legislature and the Canal Board by their concurrent action reduce the rates of toll so low as to produce only income sufficient to pay the expenses of collection, superintendence and repairs, and leaving no "surplus" for the public creditor, would such proceedings be upheld by the judicial tribunals of the country?

The Auditor does not mean to say that a large discretion may not be rightfully exerted by the Legislature and the Canal Board, in respect to the rates of tolls levied on boats and property passing on the canals; but discretionary acts of this sort must look to the production of revenue or an increase of it, and not to annihilation. The Constitution, as it now reads, pledges the canal revenues to the redemption of the public debt, and when that is satisfied, then to the repayment to the treasury of every contribution or advance to the canals or their debt, from any source other than their direct revenues, with quarterly interest at current rates upon all contributions and advances.

If the act of 1851 confers no benefits upon the Railroad Companies, its repeal cannot injure any one of them; but if its provisions operate beneficially to those Corporations, it must be at the expense of the State and its citizens, as well as the public creditors.

The statement below shows the steady and progressive increase of the freight traffic upon the two lines of railway competing with the canals, for the period of four years, commencing with 1853, when the several railroads constituting the then New-York Central line were consolidated:

| Roads. | Total Tolls collected on Canals, and Freight on Railroads. | | Total tolls collected on Canals, and Freight on Railroads. | |
|---|---|---|---|---|
| | 1853. | 1854. | 1855. | 1856. |
| N. Y. C. R. R. | $1,838,830 | $2,479,820 | $3,189,603 | $4,328,041 |
| N. Y. & E. R. R. | 2,537,214 | 3,369,590 | 3,653,002 | 4,545,782 |
| Total | $4,376,044 | $5,849,410 | $6,842,605 | $8,873,823 |
| Total Canal | $3,204,718 | $2,773,566 | $2,805,077 | $2,748,212 |

The several railway reports show a corresponding increase of tonnage on through and way freight in proportion to the receipts. It will be noticed that the receipts from freight carried on these two roads more than doubled in four years. The loss of tonnage on the canals from 1853 to 1856 was equal to the diminution in tolls, as shown by the above figures. These were years of great commercial prosperity and active business. There were no unusual obstructions to canal navigation during these periods to drive away business, except in the month of May, 1856. While the canals have at no time been burdened with business to more than 50 per cent. of their capacity, the ability of railroads to compete with the canals in the transportation of freight has not, until recently, been brought before the public. Their actual capacity for business has probably not yet been fully ascertained or put to a test.

The condition of the Canal finances demands immediate remedial action of some kind, if within the limits of legislative control, to render them more nearly adequate than they now are to fulfill the obligations of the State.

In reply to one branch of a resolution of the Senate at the last session of the Legislature, requiring the Canal Board to report "what would be the effect of restoring tolls upon the railroads of this State, released by the act of 1851, and the amount which would have been added to the canal revenues since the passage of said act, had it not been passed," a table was carefully prepared at the Department with a view of presenting to the Legislature a reliable and comprehensive view of the subject, and one which could not be assailed or refuted.

With a view of presenting the basis on which the amounts in the table were ascertained, and also the conclusions established, the Auditor now presents an abstract from the report:

"From 1845 to 1852, the whole amount of tolls received by the State on property transported on railroads, was $661,682 58, and for the fiscal year ending Sept. 30, 1851, the State received $171,055 01 on 487,012 tons of freight carried 20,733,032 miles by the railroads, subject to canal tolls during that year. This sum of $171,055 01, gives an average of 8 1-10 mills per mile per ton of toll. This has been made the basis of computation in the annexed tables for the years 1852 and 1853, and this should have been the basis of computation for the whole five years, if the rates of toll had not been reduced in 1852 to meet railroad competition.

For the years 1854, 1855 and 1856, the computations have been made on the basis of six mills per ton per mile. The Canal tolls on freight classed as merchandise which is carried by the Railroads, it is believed, would pay seven mills per ton per mile, while the freight classed 'agricultural products' would pay five mills per ton per mile on an average. The mean of these two sums will, it is believed, present a fair basis of estimate.

Estimating the toll receipts from these roads on the basis above given, there would have been paid into the treasury, on account of the Canal Fund:

1852, Sep. 30, on 45,281,645 tons carried one mile, $386,375
1853, Sep. 30, on 53,672,193 tons carried one mile, 434,744
1854, Sep. 30, on 84,267,849 tons carried one mile, 505,605
1855, Sep. 30, on 101,331,681 tons carried one mile, 607,989
1856, Sep. 30, on 149,399,214 tons carried one mile, 896,394

Total for five years, $2,912,369

This would have been the sum which would have been added to the canal revenues since the passage of the act of 1851, if these roads had carried the amount of freight which their several reports show they have carried during the above periods, and the rates of canal tolls had remained as fixed each year by the Canal Board."

But it may be urged that the repeal of the act of 1851 would seriously affect the interests of the railroads, and objections may be made against a repeal on that ground. If the State is bound to lay aside its own paramount interests—if the welfare of a few railway shareholders is to be preferred to that of the whole people of the State—and if the State, by special grant, may bestow on one portion of the community rights and privileges which it denies to another portion, then a suggestion of this sort might be put with some force. No pledge or compact will be violated by the repeal, and it may well be questioned whether even the net income of the roads, on the freighting done, will be materially diminished by the imposition of canal tolls thereon. This may seem to be a novel and bold proposition; but this is the argument. If the roads, during the season of canal navigation, carry flour from Buffalo to New-York with any margin of profit, the addition of 25 cents per barrel for tolls, would bring the cost 15 cents below the price established for the carriage of flour the ensuing Winter. The cost of transportation is paid generally by the producer and consumer, and perhaps both of these parties participate; but the middle-man takes care that the market shall bear the cost of carriage, and it makes no difference to him whether he pays fifty or seventy-five cents carriage on a barrel of flour from one given point to another, if he may be compensated on the sale. We must also consider in this connection that the competition at the places of Atlantic shipment and of domestic Eastern consumption, with the grain market of the Western States, is too inconsiderable to govern prices at New-York, or in the consuming States east of us. The seller of Western wheat and flour makes his price, and the consumer pays it. Time, too, has become important in business transactions of this kind, and when the demand exceeds the supply, or excites the market, that market must and will be reached with the speediest, if not by the cheapest mode of transit; and hence the managers of railways leading from a Western to an Eastern market may always fix their own prices for carriage, without any hazard of loss in business. The great difficulty in the way of obtaining remunerative prices for transporting property during the season of canal navigation is owing to the fact that the means of transport far exceeds the business required to be done, and hence an active competition drives down prices to the lowest remunerative standard, if not to one of actual loss.

If we wait until cheapened competition and low rates of toll will restore our canal revenues to the standard required to meet the charges upon them, we must wait long and be disappointed. A moderate charge of impost or tolls on all articles of consumption is supposed to be the best and most approved method to secure a revenue. A prohibitory tariff shuts out importations, and a rate of toll can be imposed that would exclude business from the canals. Imposts may be too low, and tolls may be too light, to give the required amount of revenue.

One of two propositions must soon be adopted to restore the canal revenues to a point which will enable the State, without a resort to direct taxation, to meet the Constitutional charges upon tolls. Either repeal the act of 1851, or levy an *equitable* tax on all the railroads in the State whose freight traffic competes with the Canals, to raise a sum equal to the ascertained deficiency in the Canal revenues, to pay the annual contributions required by the Constitution. This *equitable* tax should be levied on the amount of freight carried over each road, and the freight should be of that description and character as to compete with the business of the Canals.

## GOVERNORS' MESSAGES.

### Message of the Governor of Wisconsin—The State "Short."

Governor RANDALL'S Message to the Legislature of Wisconsin announces a large increase in the State expenditures. The estimate for 1858 is $525,824, while the estimated receipts are only $455,578. The *probable deficit* for the coming year will therefore be $70,345. In 1849, the expenditures were only $70,085—not equal to the deficit for this year. Moreover, the expenditures of last year were but $384,690—showing an increase of $141,134 for 1858. And, besides, past experience demonstrates that there has been a wide difference, since 1849, between the expenditures of the State as estimated and as actually reported. As to the outgoes of 1857, however, a large proportion is explained by the extra appropriation of $80,000 for the enlargement of the State Capitol, and sundry amounts paid to benevolent institutions. The prospect for this year is financially gloomy. The Governor recommends a close scrutiny of the estimates of expenditures, and the propriety of effecting a loan is suggested. Altogether, the finances appear to be in a bad way.

The law in relation to the Common Schools is lax, hence no full reports have been rendered. The number of pupils in the Schools of the State last year, was rated at 153,613; at a cost of 66 cents each. The anticipated average increase to 95 cents can hardly be met this year, owing to the financial embarrassment. In the Deaf and Dumb Institution there are 57 pupils: but an appropriation of $21,500, required to finish the new edifice, can hardly be afforded. The Insane Hospital and House of Refuge are recommended for such aid as the Legislature may be able to bestow. The State University has 164 students. The State Historical Society has a library of 4,000 volumes and 4,000 pamphlets, besides a collection of valuable oil-paintings; but an omission of the publication of transactions is recommended for this year. The agricultural products were but partially reported; but among the items given are 8,717,756 bushels Wheat, and 6,655,688 pounds butter; besides a mineral yield of 22,706,700 pounds of lead, (Grant County, the heaviest mineral region, not returned.) Agricultural interests are recommended to the fostering care of the Legislature. Facility to mining improvements is also warmly urged. The Banking law is deficient, and needs remodeling. The whole number of Banking Associations in the State is 75, of which 27 were organized in 1857. The aggregate capital is $5,940,000; circulation, $3,215,488; specie (Jan., 1858) not given; specie, (Jan., 1857,) $542,938, against $1,702,570 circulation. Of the total outstanding circulation of the banks, $3,215,488, Missouri has furnished securities to the amount of $2,004,000. The Governor says: "The facility with which certain stocks are changed into currency under our Bank Department, must, unless checked speedily, put an end to our Bank System.

Of the Pacific Railroad project, the Governor says:

"The necessity of a thoroughfare by wagon or railroad, or by both, in our own latitude, to the Pacific, for the convenience of trade and navigation, is so apparent that I suggest that the Legislature join in the efforts now being made for that purpose, and memorialize Congress on the subject. From the head of Lake Superior to Puget Sound, the distance in a direct line is about 1,400 miles, and by the railroad route lately explored by Governor STEVENS, about 1,800 miles."

Large space is given to a discussion of the Slavery question. The power of Congress over Slavery in the Territories is reviewed at length, and the Governor adds:

"We owe it to ourselves, and to the other Free States, and to the spirit of our institutions, to record our solemn protest against it. Wisconsin was born of Virginia when ideas of free government filled the minds of her great statesmen, and when liberty was the theme of her orators. The child has not forgotten the early taught lessons of the parent. 'There shall be neither Slavery nor involuntary servitude in the State of Wisconsin otherwise than in the punishment of crime, whereof the party shall have been duly convicted.'

The right to control, is a necessary incident to the power to acquire, Territory. Congress has no power to establish Slavery in the Territories, because it derives no power from the Constitution, and to establish Slavery was not one of the purposes for which it was ordained and established. The Federal Government has no right to acquire the Territory except for purposes consistent with the objects of our institutions. It has a right, and it is its duty to prohibit Slavery in the Territories, because it has power to legislate over the Territories, and Slavery is the antagonist of that Li

contracting party, neglect, or in any way refuse to prosecute the work undertaken by them in a manner to secure the completion thereof in compliance with the contract, or should violate the terms of said contract, then all rights of said contracting party to said road, right of way, lands or other property pertaining thereto, including such amount of the deposited stocks, if any, that may remain unexpended, shall be and become forfeited, and the United States may enter upon and retain the same. In the event of such forfeiture, to be determined by the President, he shall proceed to relet that portion of the road remaining uncompleted under such forfeited contract, and provided for the disposition of the work in such manner as will secure the earliest completion of the road in conformity with the provisions of this act: Provided, that he shall not stipulate, on the part of the United States, for any higher or other terms than are authorized and provided for in this act.

SEC. 9. *And be it further enacted*, That the contracting party, receiving lands under the provisions of this act, shall be required to sell and unconditionally convey one-half of the same within five years from and after the issuing of the patents for the same; and all lands so granted, which shall remain the property of such contracting party, or which may be held by themselves or others for their use or benefit, at the expiration of ten years from the date of the patents, shall be and become the property of the United States.

SEC. 10. *And be it further enacted*, That the lands of the United States, for two hundred feet in width along the entire line of said road, is hereby set apart and dedicated for a highway for railroad and telegraph purposes, under the direction of Congress; and the said contracting party may take any earth, stone, timber, or other necessary materials for the construction and keeping in repair of the road within the said two hundred feet; any contract made in pursuance of this act for the building and keeping up of said road shall provide for its construction in a substantial and workmanlike manner, with all the necessary drains, culverts, bridges, viaducts, crossings, turnouts, stations and watering-places, and all other appurtenances, including furniture and rolling-stock, equal in all respects to railroads of the first class when prepared for business, with rails of the best quality, weighing not less than 75 lbs. to the yard, and a uniform guage of five feet throughout the entire length of said road; also for the construction of a telegraph line, of the most substantial and approved description, to be operated along the entire line of said railroad: Provided, the contracting party shall not charge the Government higher rates than they do individuals for like telegraphic service.

SEC. 11. *And be it further enacted*, That the contracting party building or owning said road may at any time construct one or more additional tracks within the two hundred feet set apart for the right of way; and it shall be the duty of said contracting party or owners of said road to permit any other Railroad which shall be authorized by the Legislature of any Territory or State in which the same may be situated to form connections with it on fair and equal terms.

SEC. 12. *And be it further enacted*, That whenever said road, or any part thereof, shall be surrendered to the United States, in pursuance of the provisions of this act, thereupon so much of the same as may be situated within any State shall, with its assent, vest in and become the property of such State, subject to the use of the United States for postal, military, naval, and all other Government service, and, also, subject to such regulations as Congress may impose restricting the charges for such transportation; and any other State through which said road may pass, admitted into the Union thereafter, shall acquire the same rights, subject to like restrictions and provisions.

SEC. 13 *And be it further enacted*, That while the said contracting party or owners are in any manner indebted to the United States they shall keep books, in which shall be entered regular statements of all disbursements, expenditures and receipts, setting forth specifically the objects of said expenditures and the sources whence said receipts are derived, together with a particular account of all accidents that may occur affecting property or persons, or causing delays upon the road, which books shall be open at all times to the inspection of the President, or any person authorized by him to examine the same, and to the members of each house of Congress; and the contracting party or owners shall report annually to the Secretary of the Treasury, on the first day of October in each year, accompanied by a minute and detailed exhibit of the expenditures and profits of said road and telegraph for the year preceding, to be attested by the oaths of their Secretary and Treasurer, which report shall be transmitted to Congress by the Secretary at the commencement of each session.

### Installation in Brooklyn.

On Tuesday evening, in the First Congregational Methodist Church, corner of Lawrence and Tillary streets, Brooklyn, Rev. S. A. BAKER was installed as pastor with appropriate ceremonies.

The order of exercises in the evening consisted of an invocation, reading the minutes, a voluntary by the choir, reading the Scriptures, prayer and singing.

A council of Congregationalist clergymen had convened in the afternoon, and in conclusion adopted the following resolution:

*Resolved*, That the Council express their high satisfaction and gratification with the examination of Rev. S. A. BAKER, Pastor elect of the Congregational Methodist Church in Lawrence-street, and are prepared to testify their Christian regard for him and for the Church by taking part in the exercises of installation.

Rev. Dr. R. S. STORRS preached the sermon, which was based on a text taken from the 36th verse of the 40th chapter of St. John's Gospel: "Other men have labored, and ye are entered into their labors." He traced the gradual preparation, in the providence of the Deity, of the hearts of the chosen people for the reception of the truths of the new dispensation, and described the mission of the Apostles as the entering into the labors of the multitudes of inspired prophets and divine psalmists who had preceded them. And however true this might be of the Apostles, it was much more true of the Christian ministers who undertook to spread Christianity throughout the world. He pointed out the gradual progress of Christianity up to that period when it was so purified as to meet the wants of the intellect as well as the wants of the heart, and described the minister of this day as reaping the fruit for which 60 generations had labored. This was true with still higher emphasis of the Christian minister in our own land. Nowhere else had the truths of the Gospel been preached with more pungency or force. The East and the West, almost as far apart as Spain and Palestine, were now bound together by links of life—by a Christianity which was commended to us by all the associations and memories of home—by all the useful effects of thought, and by the promise of future progress which it brings. The universal reign of Christ within this land should be ours if we labored for it with the vast advantages we enjoyed in the accumulated labors of the past, at once animated and aided by the faith and efforts of other generations. But we were to aim at a higher standard of personal holiness than the fathers gained. We should not be merely satisfied to reproduce their example. The manhood of a people should be richer than its childhood. We must aim to do a higher work. It was not ours to rest on the ends which they attained; but we must push to yet grander results, for each age has its work peculiar to itself. We must complete their educational system. We must carry their work to perfection, or raise new institutions in harmony with their design. We must, by a peaceful and Christian mode, terminate the system of involuntary bondage by the power of the Gospel persistently applied to it. A contemplation of the fruits of the past and the duties of the present suggested two things: first, how honorable is the work of the laborer for Christ; and second, how certain is the progress of the Kingdom of Christ. Remembering then what the past had brought us, remembering how such multitudes had labored to fit us for the great work appointed for us in this day, let us give what God has intrusted to us of faculty, of knowledge, of opportunity, of time, that future ages may be better and future States more largely blessed for our work. Let us feel, wherever we are, that we are acting under the pressure of the past, acting to bless the vaster future. Let us lift ourselves to the greatness and height of our office, renew all our powers by consecrating them to God, that, so as we say, looking back upon our fathers, other ages may say as they look back to us, repeating those words of Christ to his disciples with a yet higher emphasis than he could give to them then or than we ourselves can give to them now: "Other men labored, and we are entered into their labors."

Rev. Dr. BAILEY offered the installation prayer.

Rev. Dr. CLARK gave out a hymn, commencing:

"And now the solemn deed is done"

Dr. BUDDINGTON delivered the charge to the Pastor, not, he said, so much by way of instruction, as of commemoration. He reminded him that he was set here to preach the Gospel—the simple, pure Gospel of the Word of God, not his (the pastor's) speculations, or the speculations of any school in Christendom. He was to preach the Gospel in its simplicity as a way of salvation to lost sinners, and as the Gospel of a free and glorious sanctification to the people in his charge. He ought to watch over this people in all the trials which daily afflictions and constant temptations might bring upon them—to train up this Church that he might present it pure and joyfully to his Master at last. And not only was he to preach the Gospel on the Sabbath, but to dispense it from house to house during the week, and to guard and teach the young. The work now committed to him was one which would go on after he had ceased to exist, and which, if faithfully performed, God would surely reward at last. What a glorious reward would be his if he was faithful to the ministry he received to-night, and this might God give him, for Christ's sake, amen.

Rev. Dr. STORRS addressed the pastor and gave him the right hand of fellowship. Loving Christ, they were all, he said, in fellowship and in sympathy, and accepting His incarnation and atonement, they were not to be despotic in exacting conformity in things of mere ceremonial importance.

The congregation then joined in singing a hymn, after which the newly-installed pastor pronounced the benediction.

Before the congregation dispersed it was announced that a donation visit would take place at the house of the pastor, No. 345 Gold-street, on next Thursday evening.

## LAW INTELLIGENCE.

COURT CALENDAR.—THURSDAY, Jan. 20.

SUPREME COURT—*Special Term.*—Nos. 236, 318, 319, 320, 321, 322, 323¾, 323, 324, 325, 326, 327, 328, 329, 332, 333, 334, 108, 149, 7.

SUPERIOR COURT.—Nos. 243, 26, 27, 28, 29, 31, 1, 118, 75, 374, 383, 396, 397, 272, 401, 402, 405, 406, 408, 414, 416, 418, 419, 432, 436, 437, 440, 441, 40, 297, 228, 376, 443, 446, 453, 454, 455, 456, 457, 459, 460.

### SUPREME COURT—SPECIAL TERM.

Before Hon. Justice Peabody.

THE LAWS RELATING TO HABEAS CORPUS—IMPORTANT DECISION.

*The People ex rel. Wm. H. Burroughs* vs. *Jas. C. Willett, Sheriff.*—The facts sufficiently appear in the opinion which was rendered a few days before Judge Peabody left the bench.

PEABODY, J.—Motion for discharge of the relator on *habeas corpus*.

He is detained by virtue of an execution against his body issued on a final judgment against him. The judgment was recovered for the value of a leather traveling bag and contents, deposited with him for safe keeping, as innkeeper of the Irving House, plaintiff therein being a guest at said house. The action was brought upon the custom of this State, which is alleged to be, that innkeepers are bound to keep safely such property for their guests. The breach alleged for which the judgment is recovered is that "defendant did not keep said bag and contents safely and without diminution, but on the contrary, he and his servants so negligently and carelessly behaved and conducted, that said bag and contents were by mere carelessness of defendants and his servants, carried away by some person unknown, and were wholly lost to plaintiff."

On this judgment an execution against the body of defendant was issued, on which he is now in custody. The question on which the legality of the imprisonment depends is whether the execution against his body was authorized by the judgment. But there is a preliminary question here, viz.: whether the regularity or propriety of that process can be inquired into in this proceeding on *habeas corpus*. Section 22, subdivision 2, of the *habeas corpus* act, 2 R. S., 563, provides that persons detained by virtue of the final judgment of any competent tribunal, or of any execution issued on such judgment or decree, are not entitled to prosecute the writ. It is said that the relator is included in this class, and therefore cannot prosecute this writ. Whether he is held by virtue of an execution on a final judgment of a competent tribunal is the question raised by the preliminary objection, and the question on the merits is very much the same. The mere claim that he is so held should not, I think, conclude me. There is a case, however, in 18th John's R., p. 305, Bank of U. S. *vs.* Jenkins, which seems to indicate that a writ of *habeas corpus* is not the proper remedy for a person detained in this manner, and that is the principal authority on the subject. In that case, as in this, the principal question was whether the Ca. Sa. was regularly issued. There the objection to the regularity was that the foundation for it had not been laid by a previous execution against the property to the proper County. Here the objection is that it is not warranted by the judgment in its own nature. In those days, however, an execution upon a judgment was issued by the Court, theoretically at least. It had to be sealed and signed by the clerk. Now it is not even in theory issued by the Court, but by the party or his attorney. That case, moreover, seems to have been but little considered. The Court before whom it was brought had just denied the same relief on motion, or rather had granted it on terms which the applicant would not accept, and although the Court said they did not think the writ was the proper remedy, they did nevertheless on the same motion direct the order previously made to be modified so as to give all the relief sought. It was therefore an election of the Court in which way it would give the relief, perhaps, or a refusal to review on this writ a decision just made in a different proceeding, rather than an adjudication against the propriety of the writ which should be deemed an authority that the writ is not a proper remedy in such a case. The relief asked was granted, but was credited to the account of a motion previously made and decided rather than to that of the writ itself, although that was the only proceeding before the Court at the time. Moreover, that case was before the R. S., under an act of 1813 not entirely similar to the present act. I am not inclined, under all the circumstances of that case, to defer to it as a controlling authority in this, but I shall examine to see whether the relator is detained by virtue of an execution upon a judgment of a competent tribunal. I am more ready to adopt this course because I find in (41 of the same act, 2 R. S., 568, that a person may be discharged on this writ from custody by virtue of civil process from a court legally constituted (Subd. 4) when the process, though in proper form, has been issued in a case not allowed by law; (Subd. 6) when the process is not authorized by any judgment, &c., of any court, or any provision of law. Whether process which is set up as a justification for detention has been issued in a case allowed by law, and whether it is authorized by any judgment of a court; therefore, I am authorized by those provisions of the statute to inquire, and a decision of these questions will dispose of the matter before me.

The judgment and execution are before me, and the remaining question is whether, on the whole, the execution is justified in law. The suit was brought to recover the value of certain articles on the ground that the defendant was bound by the custom of this State to receive and safely keep the property of his guests, and that having received that of the plaintiff he kept it so negligently that it was lost. This custom of the realm would seem in the abscence of express contract to take the place of it, and an action for not preserving the property according to it would seem to be in the nature of an action for breach of contract. But on a more careful consideration the grounds of the action appear to be not the failure to keep safely and restore the property, which would probably be only a breach of implied contract, but the negligent, careless and improper behavior and conduct of the defendant, the wrongful (tortious) conduct of defendant and his agents, (negative perhaps, to be sure, but nevertheless wrongful and tortious,) by which the property was lost to the plaintiff. This negligent, careless, and therefore wrongful and tortious conduct, rather than the failure to fulfill the contract, is the ground of the action.

See Burkle *vs.* Ellis, and al., 4 How. Pr. R., 287. The Bank of Orange Co. *vs.* Brown and others, 3 Wend 158. Bretherton *vs.* Wood, 3 Brod. and Bing. 54, 2 L'd Raymond, 909, 2 Ct.Pl. 155 and 320. Hallenbacks *vs.* Fisk, 8 Weed, 547, 4 do. 618.

In the cases above cited it is settled that an action on the custom is founded on the tort or misfeasance, and not on the contract, express or implied, which often attends the transaction, and is in many of the cases proved. It is often difficult to determine whether the action is on the contract or on the custom, and the confusion seems to have arisen from the difficulties in ascertaining which constituted the basis of the action, the custom or the contract, rather than whether an action ascertained to be in the custom was founded on tort or on contract. (3 Wend., 168.)

The suit against Burroughs was founded on tort; the judgment record shows this fact. With this fact apparent, was the execution properly issued against the body of defendant? Under the non-imprisonment act, (Laws of 1831, p. 396,) by which this question would have been controlled prior to the code, he would have been liable to arrest—for, under that, a defendant in an action in tort could be held to bail. (Runkle *vs.* Ellis, 4 How., Pr. R. 288.) But by the code, which now embraces the law on the subject, the only provision under which there is any pretence for the claim is contained in section 179, subdivision 1, which authorizes the arrest of a party "In an action * * * * * on a cause of action not arising out of contract where the defendant is not a resident of the State or is about to remove therefrom, or where the action is for an injury to person or character or for injuring or wrongfully taking, detaining or converting property." It does not appear that the defendant is not a resident of this State, or being so is about to remove therefrom, nor does it appear that the action is for an injury to person or character for wrongfully taking, retaining or converting property, and it only remains to be considered whether it is for injuring property. On this subject the decision of the Superior Court in Tracy *vs.* Leland, 2 Sandf. S. C. R., 729, which has not, that I am aware, been overruled, seems to relieve us of all doubts, and leads to the conclusion that this is not an action for an injury to property. The relator was not liable to arrest by the judgment as entered at any rate, without an order from a Judge, and whether it was a proper case for an order cannot be decided here, for the facts do not appear. He certainly was not, in the view I have taken of the case, unless some other fact, such as non-residence or an intent to remove from the State, be superadded to all that appears in the judgment record before me. He could not therefore have been arrested on the facts shown to me under ◊◊ 179 and 181, and it follows from ◊ 288 that he was not properly arrested on the judgment obtained in that suit, and he therefore must be discharged.

My conclusions are,

*First*—That in this writ of *habeas corpus* I am authorized to inquire,

1. 2 R. S., 568, ◊ 43, subd. 4, whether the proces, though proper in form, is allowed by law this case; and,

2. Ibid, subd. 6, whether the process is authorized by a judgment, order, or decree of a court or by a provision of law.

*Second*—That an action on the custom against an innkeeper or common carrier is founded in tort or misfeasance and not on contract.

*Third*—That in such an action a defendant cannot properly be held to bail except under ◊ 179, by order of a judge, on proof, *in addition to the facts constituting the cause of action*, that defendant is a non-resident of the State, or is about to remove thereout.

*Fourth*—That as the record of judgment in such a case does not show all the facts necessary to authorize an arrest in the suit before judgment, execution against the body cannot properly be issued on it, at least without the order of a judge, and on proof of the additional facts required to entitle the plaintiff to it.

### The San Francisco Vigilance Committee.

COURT OF COMMON PLEAS—Jan. 19.

Before Hon. Judge Daly.

*James R. Maloney* vs. *The San Francisco Vigilance Committee.*—*The Same* vs. *Myers F. Truett.*—These cases came up on motion of the defendants' counsel to strike out certain parts of the complaint. The causes of action separately set forth are all embodied in the fourth count of the complaint. The Judge decided that the plaintiff must be compelled to state whether he will rely upon the fourth count, in which case the three first may be stricken out. The fourth count sets forth three grounds of action—assault and battery, false imprisonment, and a conspiracy to injure. The facts are pretty well known, and the action is founded on the imprisonment of the plaintiff and his subsequent banishment by the defendants from the State of California by force and violence, and without warrant of law—the defendant coöperating with others banded together as the Vigilance Committee of San Francisco. The plaintiff also claims special damages resulting from the breaking up of his business, and other acts which followed his expulsion. The Judge says that damages which are not the immediate consequences of an unlawful act, or which the law would not presume necessarily to flow from it, must be specially stated in the complaint or the plaintiff will not be allowed upon the trial to adduce evidence to prove such damage. The averment that the Vigilance Committee caused to be published in numerous organs controlled by them that the plaintiff was a criminal and a worthless, disreputable character, has been allowed to remain, as it is an averment of a special damage sustained by their acts. Part of this motion must be granted, and a portion of the complaint stricken out; the other portion of the motion denied.

### Wogan Indicted for Wilful Murder.

COURT OF GENERAL SESSIONS.

Before the City Judge.

Judge RUSSELL resumed his seat yesterday in this Court.

John E. Edes pleaded guilty to forgery in the fourth degree, and was sentenced to the State Prison for two years.

Charles Albertson pleaded guilty to an attempt at grand larceny, and as it was his first offence, he was sentenced to the Penitentiary for six months only.

Chauncey Johnson, one of a gang arrested for a burglary committed last Saturday night, at the store of Jennings & Co., No. 114 Church-street, when silks and other dry goods to the amount of $5,000 in value, were stolen, pleaded guilty to burglary in the third degree, and was sentenced to the State Prison for four years and three months.

Andrew Boyle pleaded guilty to forgery in the fourth degree, and was sentenced to two years in the State Prison.

John Medix, a middle-aged man of respectable appearance, was placed at the bar, charged with grand larceny. It was alleged that he stole from Mr. E. L. Hedden, No. 73 South-street, 23 rolls of satin, and 37 sandal-wood fans, imported from China, worth, in the aggregate, $600. The larceny was committed on the 29th of December. The evidence left no doubt of the defendant's guilt. He was convicted, but sentence was deferred.

Michael Wogan was yesterday indicted by the Grand Jury for the wilful murder of Michael Cassidy. He was arraigned before Judge RUSSELL, (the same Judge who lately suspended judgment on him on a charge of arson,) and pleaded Not Guilty. Ex-Judge Beebe is his Counsel. The Assistant District-Attorney said he would try the case as early as possible.

John Barker, indicted with four others, William Petit, James Wright, William Brown, and James P. Smith, was placed at the bar, charged with grand larceny. On the 6th of January, $200 worth of groceries were stolen from the sloop *Westchester*, in Catharine-slip, East River. The property was traced to Seventeenth-street, East River, and found in possession of the prisoner and other men. The other parties indicted were not yesterday on trial. For the defence an *alibi* was attempted to be shown, but it was unsuccessful. The Jury convicted Barker, and he was sentenced to four years and three months in the State Prison.

THE WRECK OF THE LYONNAIS.—JUDGMENT OF A FRENCH COURT AGAINST CAPTAIN DURHAM.—The Court at Aix, in its session on the 23d ult., rendered judgment in the suit brought to recover damages for the collision of the *Lyonnais*, a transatlantic steamer of the Franco-American Company, with the American bark *Adriatic*, Captain DURHAM.

In consequence of that collision, the *Lyonnais* foundered; Captain DEVAUX, his first and second officers, the ship's surgeon, and more than one hundred passengers and sailors were drowned, without obtaining the least assistance from the crew of the *Adriatic*, which suffered but slight damage.

After undergoing repairs at Gloucester, the *Adriatic* proceeded to Savannah, where she delivered her cargo, and then went to Mobile, where she took in a new cargo for La Ciotat, near Marseilles.

On her arrival at that port, Messrs. Gauthier Brothers, managing owners of the *Lyonnais*, caused the *Adriatic* to be seized, and brought suit against Captain Durham to recover damages for the loss suffered by them in the wreck of the *Lyonnais*, on the 2d of November, 1856.

The tribunal of commerce at Marseilles, after hearing the arguments of M. Clappier for Gauthier Brothers, and M. Aicard for Capt. Durham, declared that the fatal collision was owing to the fault of Captain Devaux, and that Gauthier Brothers had no just claim.

Before the Court at Aix, M. Thourel pleaded the cause of Gauthier Brothers, and M. Aicard again appeared for Capt. Durham. By a joint decree, the Court opened the judgment of the tribunal of commerce, and ordered a report of experts. Finally, after new pleadings, the Court has entirely reversed the judgment, declared that the collision was the result of Capt. Durham's fault, validated the seizure of the *Adriatic*, and condemned Capt. Durham to pay the damages, with interest and costs. The principal reason assigned for this decree is that "Captain Durham sailed without displaying lights in a foggy night, which, even in the absence of American regulations, constitutes a serious imprudence, and fixes responsibility upon the captain, to whatever nation he may belong."

## NEW-YORK LIVE STOCK MARKET.

*Prepared every week, expressly for the* NEW-YORK DAILY, SEMI-WEEKLY, *and* WEEKLY TIMES, *by a careful and experienced Reporter.*

WEDNESDAY EVENING, Jan. 20, 1858.

The principal Market Places are the

**WASHINGTON DROVE-YARDS, 44TH-STREET**; BROWNING'S, on Sixth-street; CHAMBERLIN'S, on Robinson-street; and O'BRIEN'S, on Sixth-street. Our reports refer to these regular markets. Irregular sales are sometimes made at Bergen Hill, N. J., and from the Hudson River Boats.

The great sales day at the Washington Yards is on WEDNESDAY of each week. The reports from all the yards are made up for the preceding week to the evening of that day.

RECEIPTS OF ANIMALS AT THE PRINCIPAL MARKETS FOR THE WEEK ENDING JAN. 19, 1858.

| YARDS. | Beeves. In market to-day. | Beeves. Rec'pts for the week. | Milch Cows. | Veal Calves. | Sheep & Lambs. | Swine. |
|---|---|---|---|---|---|---|
| Washington Drove-Yards, Forty-fourth-st. | 1950 | 2148 | 10 | 126 | 1220 | 1557 |
| Browning's, Sixth-street | ..... | 93 | 45 | 39 | 2447 | ..... |
| Chamberlin's Robinson-st. | ..... | 97 | 85 | 121 | 3713 | ..... |
| O'Brien's, Sixth-street | ..... | 202 | 68 | 60 | 601 | ..... |
| Sales reported at Bergen | ..... | 400 | ..... | ..... | ..... | ..... |
| Total for week | 1950 | 2940 | 208 | 346 | 7981 | 1557 |
| Last week | 2000 | 3774 | 217 | 338 | 8055 | 2598 |

| | |
|---|---|
| Average weekly receipts of Beeves at the four City Markets for the year 1857 | 3,143 |
| Receipts for the corresponding week last year | 3,497 |

A. M. ALLERTON, proprietor, reports the animals at the Washington Drove-Yards received, as follows:

| CONVEYANCE. | Beeves. | Milch Cows. | Veal. | Sheep and Lambs. | Swine. |
|---|---|---|---|---|---|
| Erie Railroad | 898 | ..... | ..... | ..... | ..... |
| Hudson River Railroad | 1050 | ..... | ..... | ..... | 1557 |
| Hudson River Boats | ..... | ..... | ..... | ..... | ..... |
| Harlem Railroad | 200 | 10 | 126 | 1220 | ..... |
| New-Haven Railroad | ..... | ..... | ..... | ..... | ..... |
| Camden & Amboy R. R. | ..... | ..... | ..... | ..... | ..... |
| On Foot | ..... | ..... | ..... | ..... | ..... |

The Cattle at Forty-fourth-street were derived from the following sources:

| | | | |
|---|---|---|---|
| Ohio | 680 | Missouri | 60 |
| New-York | 675 | Pennsylvania | 21 |
| Illinois | 282 | Texas | — |
| Kentucky | 157 | Connecticut | — |
| Indiana | 155 | Michigan | 51 |
| Virginia | 67 | New-Jersey | — |
| Iowa | — | Cherokee Nation | — |

Beeves are sold by the estimated dead weight of the four quarters; the so-called "fifth quarter" (hide and tallow) is not reckoned in here as it is in Boston and some other cities. When cattle are weighed or estimated alive, the dead weight is reckoned at a certain number of pounds to the 100 lbs. of live weight, as agreed upon. The general rule in this market for medium cattle is 56 lbs. to the 100; 44 lbs. being allowed for the "fifth quarter" and offal.

The *average* prices to-day, as compared with last week, are ¼c.@½c. higher.

We quote:

PRICES OF BEEF AT FORTY-FOURTH-STREET.

| | To-day. | Last Week. |
|---|---|---|
| Premium Cattle | 10¾c.@11c. | 10c. @10¾c. |
| First quality | 10c. @10¾c. | 9¾c.@10c. |
| Medium quality | 8½c.@ 9c. | 8c. @ 8½c. |
| Poor quality | 7c. @ 7½c. | 7c. @ 7½c. |
| Poorest quality | 6c. @ 7c. | 7c. @ 7c. |
| General selling prices | 8c. @10c. | 8c. @ 9c. |
| Average of all sales | 8¾c.@ 8¾c. | 8¼c.@ 8¾c. |

At BROWNING'S, CHAMBERLIN'S and O'BRIEN'S prices do not materially differ from those at Forty-fourth-street. BROWNING reports Beeves at 7c.@10c. CHAMBERLIN reports Beeves at 7c.@10c. O'BRIEN reports Beeves at 7c.@9½c.

REMARKS ON THE BEEF MARKET.

The surplus cattle from last Wednesday were sold out during the week, and the receipts of fresh stock being a little below the average, the requirements for this day's market were just about met by the 1,950 yarded at ALLERTON'S yesterday and this morning, with 200 others brought there previously. The receipts for the entire City, including the 400 retailed at Bergen before crossing the river, make the total number of fresh cattle since our last report 2,940, or 257 below the average for 1857, and 450 more than the receipts for the corresponding week last year. Much of the stock offered this week has been of a poor quality—quite inferior to even last week. There were, however, a few pairs of very superior bullocks, which are noted below. About one-third came from New-York State, an equal number from Ohio, 300 from Illinois, and 150 each from Indiana and Kentucky. Notwithstanding the abundance of pasturage, scarcely destroyed by Winter up to this date, the cattle do not seem to have laid on fat well. The large amount of rainy weather kept the grass watery; corn was not well ripened, or was poorly cured, so that animals do not fatten so well upon it as usual, and it is the opinion of well-informed Western men that there will be much less really fat stock than in many years of less plenty. Common stock sold to-day at about last Wednesday's prices, with perhaps a less liberal allowance on estimated weights by the sellers. The better qualities, owing to their scarcity, commanded fully ½c. better rates than last week. We put the average advance, take all the transactions of the day together, at ¼c.@½c. The sales were moderately brisk during the entire day, and the yards were about cleared at sundown. A medium supply only and higher rates are looked for next week, unless there be enough of the "knowing ones" to foresee the effects of the preceding two market days to bring in a competent supply. The Eastern demand continues light, only 250 head having gone east from Albany during the week, so far as we can learn.

The table below and the special notes following will give the deviation of the principal lots on sale at Forty-fourth-street, with their general quality, and other matters of interest. These tables, &c., are condensed from copious notes made during a personal examination of the yards, continued through the entire day:

| No. | State. | Owner. | Salesman. |
|---|---|---|---|
| 23 | N.Y. | Farmers | Vail & Carey. |
| 37 | Ohio. | Mr. Coy | Hoag & Sherman. |
| 92 | Ohio. | R. R. Seymour | J. A. Merritt. |
| 52 | Ohio. | D. Adams | B. Bartram. |
| 81 | Ohio. | J. Bryant | C. G. Teed. |
| 60 | Ky. | B. Suddeth | S. Ulery. |
| 16 | Ill. | J. S. Hymour | E. H. Shepard. |
| 111 | Ill. | Nichols, Ensign & Sbep'd | T. Wheeler. |
| 36 | Va. | J. Huttol | T. White & Son. |
| 84 | Ind. | J. McUllom | Allerton & Myers. |
| 62 | Ohio. | J. Williams | Budlong & Eastman. |
| 86 | Ill. | A. W. C. Norton | W. H. Harris. |
| 30 | Va. | Seymour & Hutton | J. H. Williams. |
| 20 | Ky. | D. Bush & Co | J. H. Williams. |
| 61 | Ohio. | Woods & Co | Miller, Har'g & Gur. |
| 65 | N.Y. & O. | Several owners | Miller, Har'g & Gur. |
| 50 | Ohio. | Z. Vesey | Mead & Holcomb. |
| 136 | N.Y. | Wood & Lyons | Mead & Holcomb. |
| 43 | Ohio. | R. Murray | Owner. |
| 63 | Ohio. | J. McConnell | T. White & Son. |
| 35 | N.Y. | N. B Taylor | Owner. |
| 40 | N.Y. | Farmers | L. Beers. |
| 21 | N.Y. | J. Simons | Owner. |
| 96 | Ind. | Leitler, Kiger & Baugh | S. Smith. |
| 63 | Ohio. | J. McConnell | T. White & Son. |
| 23 | N.Y. | A. Woolerton | Owner. |
| 55 | N.Y. | Several owners | George Sage. |
| 106 | N.Y. & C. | Several owners | Beach & Bray. |
| 33 | N.Y. | W. Olin | Owner. |
| 33 | N.Y. | J. Miller | Owner. |
| 51 | Mich. | R. & W. Rome | Geo. Ayrault. |
| 47 | N.Y. | Bush & Shuster | Owners. |
| 70 | N.Y. | A. H. Gurney | W. H. Gurney. |
| 64 | ..... | Several owners | Geo. A. Taffey. |
| 60 | Mo. | Baker & Young | Allerton & Conger. |
| 24 | N.Y. | D. McElwee | Owner. |
| 16 | N.Y. | M. Dalton | Owner. |
| 18 | Ohio. | S. Sidner | Owner. |
| 18 | N.Y. | Westheimer & Bros | Owners. |
| 20 | N.Y. | M. Bent | Owner. |
| 18 | N.Y. | J. Stram | Geo. A. Taffey. |
| 19 | N.Y. | W. Thompson | Owner. |
| 18 | N.Y. | F. Murray | M. Dalton. |
| 40 | N.Y. & O. | Crowley & Crum | A. Crowley. |
| 19 | N.Y. | J. Van Houghton | Geo. Ayrault. |

DANIEL MCELWEE had 24 of his own New-York cattle of very fair quality, for which he was getting 9c.@10c. One extra fat pair fed by H. BUTTS, of Stanford, Dutchess County, sold to MR. LALOR for $240, or 11c. ₱ lb., on an estimate weight of 2,150 lbs. net.

VAIL & CAREY sold 23 State cattle for farmers at 7½c.@9c. One extra pair brought 10c. yesterday. They were slaughtered, and found to weigh 2,350 lbs. net, and yielded 400 lbs. tallow.

R. R. SEYMOUR brought in 92 Ohio cattle of his own feeding. They were a very good lot. On sale by J. A. MERRITT at 9c.@10c., and a few 10¼c. ₱ lb. Rated 800 lbs. net, and were being thinned out quite rapidly by buyers of good stock.

D. ADAMS forwarded 52 nice, handy Ohio steers, which B. BARTRAM was disposing of at 9c.@10c. on an estimated weight of 650 lbs. net.

R. MURRAY was selling 43 of his own Ohio cattle at 8½c.@10c. They were a fair lot, rated at 725 lbs. net. These were bought of E. FLORENCE, and among them was an extra Durham steer, estimated to weigh 1,600 lbs. net, and a Durham cow rated at 1,100 lbs. net. They were the fattest animals we have seen for a long time—too fat to suit most people. P. W. LAWRIE, of Washington Market, took them at about 11c. ₱ lb.

LEITLER, KIGER & BAUGH forwarded 95 cows, heifers and coarse stags, for which S. SMITH could get but 7c.@8c. Home weight, 1,200 lbs., in Indiana.

NICHOLS, ENSIGN & SHEPARD contributed 111 nice Steers from Edgar County, Ill. Est mated weight, 675 lbs., and bringing about 9½c., by T. WHEELER. The expense on them to the City was about $16 ₱ head.

JAS. MCCULLOM, 84 Indiana Steers and light common Cows were selling by ALLERTON & MYERS, at about 8½c. Estimated weight, 600 lbs,

J. MCCONNELL contributed 63 very fair Steers from Ross County, O., for which T. WHITE & SON were getting 9¾c.@10c. Home weight, 1,483 lbs. gross.

B. SUDDETH forwarded 60 Durham grade Steers, of pretty fair quality from Kentucky. S. ULERY sold them at 9c.@10c. Rated 850 lbs. net.

J. BRYANT'S 81 fair to good Ohio Cattle were bringing 9c.@9¾c.—a few perhaps near 10c. Estimated net weight, 675 lbs. C. G. TEED, salesman.

E. H. SHEPARD was selling several small lots for different parties, at 6c.@8c. Some of them were very common stable Cows, which would dress no more than 500 lbs. of beef.

MILCH COWS WITH CALVES.

Milch Cows are sold at each of the above yards, *usually with their Calves at their sides.* The prices vary somewhat with the supply and demand, and vary greatly, of course, upon the milking value. The particular fancy of the buyer has also considerable to do with the price. Not unfrequently a Cow is sold at $90@$100, or even $120. The general price throughout the year for ordinary Cows is $30 to $40 or $50. Quite a number sell above $50, and more, perhaps, below $30. We often see apologies for Cows go at $20@$25. The weekly reports from the different yards will give the weekly fluctuations.

The trade in Milch Cows is emphatically dull just now, and it takes a good Cow to bring $40. While beef is low, milkmen keep those Cows which they would otherwise throw into market, and replace them with fresh Cows. Of the comparatively small number sent in, many are unsold. Fresh Cows are worth more in the country than here.

ALLERTON reports receipts of 10 fresh cows which sold slowly at $30@$40 for good, and $50@$60 for extra animals. There is very little activity in the Cow market.

BROWNING reports receipts of 45 Milch Cows, selling at $25@$30 for common; $30@$40 for good, with no extras in market. The market is unusually dull, with plenty on hand. $45 will buy a fine cow.

CHAMBERLIN reports 85 Milch Cows, selling at $25@$35 for common; $40@$50 for good; and $50@$60 for extras.

O'BRIEN reports 68 Milch Cows, selling at $25@$30 for common; $35@$45 for good, and $50@$55 for extras. Sales are very dull, or, as the brokers say, "There is nothing doing." Quite a number of cows remain unsold.

VEAL CALVES.

Veal Calves are sold by live weight, each animal being weighed alive at the time of sale. "Bobs"—that is, Calves a few days old—are usually sold by the head at such prices as can be agreed upon, sometimes for but little more than the skin is worth. The principal places of sale are ALLERTON'S, BROWNING'S, CHAMBERLIN'S and O'BRIEN'S.

There is no change in the veal market. The supply is just equal to the moderate demand.

ALLERTON reports receipts of 126 Veal Calves, selling at 5c.@7c. for good animals. The market is tolerably brisk.

BROWNING reports receipts of 39 Veal Calves, selling generally at 5c.@7c. The demand is just met by the supply, and good calves sell readily.

CHAMBERLIN reports receipts of 121 Veal Calves, selling at 5c.@7c.

O'BRIEN reports 60 Veal Calves, selling at 5c.@6¾c. No change since last week. The market is well supplied with good Calves.

SHEEP AND LAMBS.

These are chiefly sold at ALLERTON'S, BROWNING'S, and CHAMBERLIN'S, at so much ₱ head for a particular lot of Sheep or Lambs, or of the two together. They are also frequently sold by live weight, as this is readily ascertained. The actual prices at the different yards seldom vary greatly. The difference in reputed prices is generally due to variation in the quality. When they are sold by weight, it is usually the *net* weight, which is ordinarily one-half what they weigh when alive, the pelt and offal making the other half. If fat and small-boned, they will dress 55 lbs., and in some cases 60 lbs., ₱ hundred. The average run is about one-half the live weight.

There has been only a medium supply of Sheep during the past week, and the market may be quoted a little quicker. Some of the stock was very fine, with heavy, fat carcasses, and sold for high prices.

ALLERTON reports receipts of 1,220 Sheep and Lambs, selling at 7c.@9c., and a few 10c. ₱ lb. We noticed 27 very fine Sheep fatted by Mr. WALCOTT, of Salisbury, Conn., weighing alive 180 lbs. to 212 lbs. They were held at $10 to $14 each.

BROWNING reports receipts of 2,447 Sheep and Lambs, selling generally at 7c.@9c. ₱ lb., net weight. A few extra Sheep brought 10c.@11c. The market is well supplied and sales slow at former prices. Quality fair. Stock mainly from New-York and New-Jersey.

CHAMBERLIN reports receipts of 3,713 Sheep and Lambs, selling at $3 50@$5 50 ₱ head.

O'BRIEN reports sales of 601 Sheep and Lambs by MCGRAW & REED, as follows:

| | | | |
|---|---|---|---|
| 57 Sheep sold for | $264 50 | 92 Sheep sold for | $287 00 |
| 185 Sheep sold for | 832 50 | 36 Sheep sold for | 196 00 |
| 36 Sheep sold for | 151 75 | 98 Sheep sold for | 395 77 |
| 61 Sheep sold for | 287 [illegible] | 46 Sheep sold for | 341 00 |

JAS.

The New-York Times.

NEW-YORK, THURSDAY, JANUARY 21, 1858.

THE NEW-YORK TIMES.

The DAILY TIMES is published every morning:—price two cents; served at 12½ cents a week; mailed at $6 a year.

The SEMI-WEEKLY TIMES—Three Dollars a year; five copies for Five Dollars.

The WEEKLY TIMES—Two Dollars a year; eight copies for Twelve Dollars; twenty copies for Twenty Dollars.

Terms—Cash invariably in advance.

All letters to be addressed to the "NEW-YORK TIMES, New-York City."

To Correspondents.

*Anonymous communications will receive no attention. All letters professing to state facts must be accompanied by the author's name, not for publication, but as a guaranty of the truth of the statements made.*

*We do not undertake to return manuscripts that may be sent us unbidden.*

*Any extraordinary correspondence containing important news, from any quarters of the world, is solicited. If used, it will be liberally paid for.*

## NEWS OF THE DAY.

We have at length received something definite relative to the result of the late election for State Officers in Kansas. A dispatch from St. Louis, on the authority of letters published in the *Democrat* of that city, gives what purport to be the official returns for Governor Congressman and the Legislature, as follows: For Governor, MARSHALL, Democrat, received 6,539 votes and SMITH, Free-State, 6,238—a majority of 301 for the Pro-Slavery candidate. For Congress, PARROTT, Free-State, received 6,623 votes and CARR, Democrat, 6,568—a majority of 55 for PARROTT. If the Free-State men had cast the same vote for Governor as for Congressman, they would have elected their candidate. The Legislature is overwhelmingly Free-State. In the Senate, there are 13 Free-State men to 6 Democrats, and in the House, 29 Free State men to 14 Democrats—a majority of 22 on joint ballot. The vote on the Constitution at this election had not yet been counted, but on the 21st of December, the vote had been ascertained to foot up 6,063 for the Constitution with Slavery, and only 520 for the Constitution without Slavery. Upwards of three thousand of these votes are stated to have been polled in precincts containing not over a thousand inhabitants.

In the United States Senate yesterday, Mr. IVERSON, of Georgia, introduced a bill for increasing the efficiency of the Army and Marine corps, by retiring disabled officers. It was referred to the Committee on Military Affairs. Mr. IVERSON also gave notice of his intention to introduce a bill to change and regulate the mode of appointing cadets to the Academy at West Point, and to modify the laws relative to that establishment. Mr. HALE then resumed his speech, commenced on Monday, relative to the Slavery question and the Dred Scott decision, and at the conclusion of his remarks the Senate adjourned. In the House, a bill was introduced, based on the memorial of the New-York Underwriters, providing for the better security of life on board vessels propelled in whole or in part by steam. It was referred to the Committee on Commerce. Mr. MCKIBBEN, of California, introduced a bill granting land to that State for railroad purposes, and Mr. DAVIS, of Massachusetts, introduced the French Spoliation bill. Resolutions of the Nebraska Legislature, relative to the contested seat of the delegate from that Territory, were laid before the House. In Committee of the Whole on the President's Annual Message, a lengthy debate took place on the proposition to refer that part relative to the Pacific Railroad to a Select Committee, and it was finally agreed to refer it to a Committee of Fifteen, with power to report by bill or otherwise. The House, after the Committee rose, concurred in this action by 136 against 60, and the various other branches of the Message were referred to the appropriate Committees.

Nothing of special importance was done in the State Senate yesterday. The Assembly refused to entertain the proposition, submitted on Tuesday, providing for the election of a Speaker by a plurality vote, and did nothing toward an organization. There was some talk last night of a compromise between the Republicans and Americans, if the former would adopt some other candidate for Clerk, but whether it will amount to anything remains to be seen.

The steamship *Star of the West* left yesterday for Aspinwall, with the California mails and about 250 passengers. Some thirty or forty persons were defrauded by the ticket swindle, several had their pockets picked, and two lost money by the confidence game. In several cases, the two (!) officers detailed for that duty, succeeded in recovering the money.

By the arrival of the *Black Warrior* at this port yesterday, we have received later intelligence from Havana. A portion of the Spanish fleet sailed from that port on the 12th inst., and it was rumored that its destination was Vera Cruz. The report, however, must be considered as nothing more than a piece of idle gossip and on a par with another rumor that SANTA ANA was on board one of the Spanish war ships. Business at Havana was dull.

We publish an interesting letter from the Utah Expedition, giving a graphic narrative of the breaking up of the army from the camp at Black's Fork and the march to the Winter camp at Fort Bridger. Our correspondent describes the devastation committed by the Mormons, and depicts the sufferings of the army. The outrages of the Mormons in Salt Lake City are confirmed by latest advices.

The case of Mr. ROBERTSON, on trial for some time past at Rochester for alleged attempts to hasten his wife's death by administering to her deleterious drugs, was given to the Jury yesterday, who, after four hours' deliberation, delivered a verdict of "Not Guilty."

There was an affair that was nearly proving fatal at No. 149 Cedar-street, yesterday. One Mr. SMITH, who suspected that his daughter had been improperly intimate with Mr. KEMPS' foreman, COLLINS, went to the place with his son and shot COLLINS with a pistol. The ball penetrated the right ear, and passing under the scalp produced a bad, though not a dangerous wound. The father and son then gave themselves up to the officers.

A drover from Steuben County was robbed of $800 in Hoboken on Monday night. He had drunk freely, and made great display of his funds during the evening.

The history of the terrible calamity in Brooklyn, on Tuesday afternoon, when public school building No. 14 was destroyed by fire, and six children in attendance there suffocated, is undergoing an investigation before Coroner SNELL. Nothing of particular importance was brought to light in the testimony taken yesterday, but the reported heroism of some of the teachers was confirmed. It is rumored that testimony will be introduced to-day, showing that the flues have been in a dangerous state for some time, and that this fact was well known.

The General Markets, yesterday, were active and firm for desirable brands of flour. Wheat was quiet, parties disagreeing about prices. Corn was more freely offered and purchased at, however, much lower rates. Provisions were in fair demand, and prices were sustained for all articles, save Pork, which steadily favored buyers. Cotton was moderately inquired for at full and buoyant prices. The principal movements in Coffee and Teas were the sales by auction, noticed in our regular market report. Sugar and Rice were decidedly brisker. No remarkable alteration occurred in freights.

The Cattle markets were fairly supplied yesterday, but the quality of the stock offered being generally poor, the few better-class animals sold at an advance on the preceding market day of about ½c. per lb. net. Ordinary stock sold at previous quotations, with a brisk trade, and a clearing of the yards at evening. The average of the entire day's sales was only about ¼c. advance over last Wednesday. The effect of the rainy weather upon the large amount of late pasturage was to render it less fattening than usual. Much of the Western corn was spoiled in the fields, so that, with an abundance of beef, we have comparatively little in a really fat condition.

MISS ANDREWS AND THE CITIZENS OF NORFOLK.—We copied from the Norfolk, Va., *Argus*, a day or two since the following paragraph:

"Having read in your paper of this morning a paragraph in which you state Miss A. M. ANDREWS is about to publish a work, the profits arising from which are to be appropriated to the support of Mrs. Mayor WOODIS, as a relative of the latter lady, I beg to state Mrs. W. is amply provided for by her father, and in no way dependent on the public."

NORFOLK, Jan. 12, 1858.

Miss A. M. ANDREWS, it will be remembered, is the lady who went from this State and with several others volunteered to nurse the victims of pestilence in Norfolk, when a large portion of the inhabitants of that City had fled. Mayor WOODIS was one of the few noble men who remained and died at his post, leaving his family in what was generally understood and represented to be straitened and embarrassed circumstances. Miss ANDREWS announced to Mrs. WOODIS her intention of publishing a book and of appropriating the proceeds of its sale to her benefit, and received replies of the most grateful tenor,—acknowledging her uniform kindness in the warmest terms, and thanking her especially for this new proof of her unselfish devotion to the good of others. She has never heard *from her* anything to the contrary,—and this rude rebuff of her well-meant intentions from one of her "relatives" naturally excites as much surprise as regret in her mind.

We presume that this demonstration is simply an outbreak of the chronic pride which afflicts Virginians, and which inclines them always to appear rude, discourteous and ungrateful, rather than acknowledge obligations which may possibly imply inferiority. Miss ANDREWS will certainly be very glad to learn that Mrs. WOODIS and her family have been "amply provided for by her father,"—and will have no difficulty in finding charities upon which she can bestow the proceeds of her book without any risk of having them thrown back in her face.

### The Kansas Free-State Party.

The *Tribune* is one of the "outspoken friends of free Kansas"—whatever that ungrammatical phrase may mean. It takes great credit to itself for not being "false to Liberty, treacherous to Humanity," and intimates serious censure of the TIMES for "impeaching the Free-State Party in Kansas as factious and unfaithful, because of their repeated refusals to vote at elections held under Pro-Slavery auspices by officers whom they know to have derived their authority from the most audacious frauds, whereof those officers were at once contrivers and beneficiaries." We are not especially anxious to avoid the *Tribune's* censure, but we are quite willing to sustain our position. We *do* consider much of the action of the Free-State Party in Kansas as having been factious,—dictated by unworthy personal and partisan considerations, and calculated, if not intended, to bring Kansas into the Union as a Slave State. That Party, like the *Tribune*, is committed to the prediction that Slavery is to be forced into Kansas: and we are compelled to regard very much of its action as apparently designed to fulfill the prediction, rather than to avert the evil.

The *Tribune* insists that the Free-State men could not vote, because they could not recognize the Territorial authority,—which had its origin in fraud. Why, then, *did* they vote in October? They waived this objection then;—upon what ground of principle can they revive it now? The elections, says the *Tribune*, are held under the auspices of their opponents. Very true;—so they were in October. The Free-State Party decided to vote at that election, and did so with the most satisfactory results. They carried both branches of the Legislature and secured complete possession of the Territorial Government. Why did they change their policy? Why did they resolve *not* to vote for State officers at the January election,—when they had every reason to believe that by doing so they could secure all departments of the Government, elect both United States Senators, and have everything in their own hands, in case Kansas *should* be admitted under the Lecompton Constitution? The *Tribune* gives no explanation of this remarkable change of tactics, but attempts an *ex post facto* justification of it by showing that Pro-Slavery men *cheated* at the polls. We have not the slightest doubt of it,—though the inaction of their opponents rendered it quite superfluous to cheat largely. But this only affords an additional reason why the Free-State men should have entered actively into the canvass, and either carried the day or been in a position to prove that it was carried against them by fraud.

We find in the Boston *Traveller* the following letter on this subject, said to be "from a gentleman who has taken a distinguished part in Kansas politics:"

LAWRENCE, Friday, Jan. 8, 1858.

DEAR SIR: It is now believed that the Free-State men have carried the State Ticket and a majority of the Legislature under the Lecompton Constitution, not counting Leavenworth County, which is still in doubt. The frauds were practiced as usual, but it is believed not quite big enough to defeat us. You will remember that this result was obtained after a State Convention had decided *not to vote. Had that Convention decided to vote, we would have triumphed everywhere nearly.* Some of us have been in favor of taking possession of the Lecompton State Government, but were overruled in the Convention by, in my judgment, an unworthy game. But the people, many of them, determined to vote, and have signally rebuked these tricksters.

*If it proves that we have that Government Mr. Buchanan can do what he pleases with the Constitution, we are safe and dependent upon no outside powers for protection from tyranny.*

For the past two or three years the Free-State men in Kansas have claimed to be a majority of the population; yet with one exception they have refused to vote, and have contented themselves with lamentations over the tyranny which the minority were practicing upon them. They will not vote, because the polls are in the hands of their opponents,—and they are afraid of being cheated. Suppose political parties should act upon this childish principle elsewhere. Suppose the opponents of Mayor WOOD had refused to go to the polls, because his creatures had charge of the boxes and were determined to carry the day by force or fraud. They would have deserved the disgrace and misgovernment which their conduct would have invited. The Free-State men in Kansas have lost ground at every election by their refusal to vote. They might have elected a majority of the Lecompton Convention, as they subsequently elected a majority of the Legislature;—and they could then have made a Constitution to suit themselves.

Our advices from Kansas this morning indicate that, notwithstanding the determination of the Free-State Convention not to vote, enough of the party *did* vote to carry both branches of the Legislature, elect their delegate to Congress, and come within 300 votes of electing their Governor! Can anything further be needed to show that they ought to have rallied in full force at the polls?

We earnestly hope and believe that Kansas will not be admitted into the Union as a Slave State, and shall support every just movement that seems calculated to prevent such a result. But if the Lecompton movement should be successful, its success will be due, in no inconsiderable degree, to the factious and unwise action of the Free-State Party.

### The Lessons of the Crisis.

The seven or eight years of commercial activity in Great Britain and the United States which followed the discoveries in California and Australia constitute a remarkable era in the commercial progress of the two nations. The pause created by the late panic is at least sufficient for a partial audit of the great account. The figures of trade on the one hand, and of railway building on the other, startle by their magnitude and challenge comment by the vastness of their material results. The golden talent bestowed respectively on the two countries, and which was made the lever of this great movement, is of equal and almost exact weight. Twelve millions sterling a year produced to Great Britain from the mines of Australia, and sixty millions federal money a year produced to the United States from the placers of California, make the parallel thus far complete. The moral responsibility of the stewardship was not unequal, however differing the peculiar employment of these two talents.

At the close of 1849, Great Britain manufactured *for export* to the extent of three hundred and seventeen million dollars a year. In 1857, to the extent of six hundred millions. This was her great source of employment for money. She added in the meantime about two thousand miles to her railway system, making a total of eight thousand five hundred miles, at a cost of sixteen hundred and forty millions dollars. In the United States, the mercantile use of money, strictly speaking, was directed to the maintenance of an *import trade*, which from one hundred and forty-seven millions in 1849 rose to three hundred and sixty millions in 1857. The exports of the country kept full pace with this movement, but they were of the field and plantation; not of the mill and workshop, and relatively demanded less active means or fixed capital. But in the meantime, our railway progress was beyond all precedent. We had at the close of 1849 about the same number of miles opened to business as in England, say six thousand three hundred and fifty. The total expenditure was then about two hundred and fifty-four millions. At the close of 1857, we had nearly twenty-six thousand miles opened, at a cost of nine hundred and eighteen millions.

The question of the *use* to which the golden gifts referred to have been put, is very naturally succeeded in the day of settlement by an inquiry into their *abuse* in either or both countries. The temptations, it must be confessed, have not been few. To a young, vigorous and impulsive empire like our own, they were almost irresistible. The wonder is that with us such glittering temptations should have worked so little real or lasting mischief to credit, and brought so few reproaches to the American mercantile name. If the case has been otherwise in Great Britain, as from recent developments through the London Press it would seem to have been, it certainly cannot be claimed that more of material good was accomplished while this sum of moral evil was being incurred than in the United States. The two fields of commercial operation during the period in question, if dissimilar in character, are not widely different in magnitude. The actual results on this side with fewer instances of downright fraud, even surpass, in one sense, the progress made by Great Britain. It is admitted on her part that the export trade of Manchester and Glasgow was stimulated by the gross abuse of credit. On our side, the work of railway building was stimulated by the too hasty use of capital, where it does not yet find a profitable return. The foundations of future material prosperity, however, were deeper laid, for while impulsive in railway building, the country was relatively cautious in banking, prudent in ship-building, and not extravagant in its mercantile credits. In England and Scotland, all these precautions were, partially at least, disregarded. The conservative rules of London banking, of the olden time, were forgotten in the tempting profits of the modern joint-stock principle of the smallest possible base of capital stock to the largest superstructure of deposits in account; and these in turn were made to minister to the excesses of the manufacturing districts, the rapacity of the provincial bankers, and the grasping speculations in credits by the great bill drawers. The shipbuilders on the Clyde, and the ship-owners on the Mersey, were not behind the activity and progress of the mills and furnaces in their immediate vicinity, and they, too, lived by the double expansion of banking credits and discount facilities.

It is but fair in this connection to assume that the partial liquidation made necessary to both countries by the late crisis is developing on this side more of financial prudence, as well as mercantile soundness, and will, from its present look, leave fewer startling wrecks of corporate honesty and individual probity behind it, than the same process is bringing to view in England and Scotland. The United States, to be sure, have not been without grave offence, on this point, in times past, and it is not for our people now to cast the first stone. We speak not, therefore, boastfully of our own country, or reproachfully of our great neighbor across the water, but simply from the debt-paying ability of the one, as recently manifested, and the self-confessed excesses in credit of the other, as recently illustrated in examples like the Western Bank of Scotland, the Borough Bank of Liverpool, and the MONTEITHS and MACDONALDS of Glasgow.

In the case of the Western Bank, as in the instances previously occurring with the Royal British Bank in London, the abuses were such as to demand the heaviest assessments upon the individual stockholders before the depositors could be assured of their first dividend. The Glasgow concern had a capital of eight and a half millions. They owed their dealers thirty-five millions dollars! This was really no more extravagant than the Union and other Joint Stock Banks of London, which frequently owe eight or tenfold their capital. But the bank fell, and it was discovered that capital, deposits, circulation and all, had been compromised by the merest *kite-flying* between Glasgow and London. The stockholders were ruined and the poor depositors left in abeyance.

In contrast with this case, we think we have a right to speak of the bank failures in New-York during the panic, not as an example of the higher tone of financial management, but as an index to the sounder mercantile credit and probity of the country, upon the security of which our banking system must necessarily rest. These failures were five in number out of fifty-two associated banks in the Clearing-House. In two instances out of the five, the public were scarcely aware that they amounted to anything more serious than voluntary liquidation. The whole five involved, in August last, $2,217,000 of capital, $4,455,000 in deposits and circulation. By the close of December, the whole of the last sum was paid off or provided for, and an average of about sixty per cent. of the capital ascertained to be left sound for the stockholders. These five banks were among the smallest, and perhaps the most indifferently directed associations in the City. Yet their assets were equal to the promptest liquidation, even in a season of panic, of their whole indebtedness in four months. The remaining City Banks, are this day believed to be equal to the reimbursement of sixty-five millions of capital and seventy-five millions on deposit and in circulation, without compromising more than their surplus or contingent fund. This could not be, simply from good luck or skillful management. It could not be so under any circumstances were the business community less sound, the wealth and resources of the country less assured, or the currency and banking system of the State less conservative or less free.

### The Perils of School-Houses.

Just about seven years ago, on the 20th of November, 1851, a number of children in the Ninth Ward School, of New-York City, being frightened out of their senses by the aspect of their teacher, who had fallen upon the floor in a fit, rushed out of their school-room and down the stairs to the street. The noise and confusion thus occasioned set the scholars in motion all over the building; the cry of "fire" was raised by somebody, within the house, (as it always is everywhere and on every occasion of a panic,) and echoed from the street, and in a few moments the railings of the stairways yielded to the pressure of the excited crowd of children, and precipitated them by hundreds upon the stone floor of the hall, from which forty-two unhappy little creatures were taken up crushed and dead, with a great number more who had been injured more or less seriously. The peculiar circumstances of this calamity impressed its lessons upon the public mind with especial force, and when it was found that the edifice in which the catastrophe took place was a new building, erected under the supervision of the Board of Education, and with a specific view to the purposes for which it was designed, no little indignation was felt and expressed that no proper provision had been made against the possibility of so frightful a disaster. The authorities themselves admitted that the arrangements for ingress and egress, not in this one only, but in almost all of our School-houses, were shamefully inadequate. This *ex post facto* wisdom, of course, could do nothing for the poor little victims of administrative thoughtlessness and incapacity, and for their heart-broken parents and friends. But it was supposed that it would have some effect upon future Building Committees of the Board of Education, and that hundreds of children would not again be exposed to those special perils of a panic which their elders cannot often be safely trusted to confront. And many an anxious father must have been greatly satisfied to read in the respectable pages of the "Fifteenth Annual Report of the Board of Education for the City and County of New-York," that our "numerous school edifices are, with few and decreasing exceptions, spacious, commodious, tasteful, furnished with every convenience requisite to the comfortable accommodation of all, *and presenting every inducement to the most careful parent to place his children within their walls.*" For this thorough-going indorsement of the architectural excellences of our public school-houses was understood of course to guarantee the prevision in every case of the most serious dangers to which the buildings would be liable, and the careful protection of their future inmates from any casualties within the control of a reasonable foresight. It is our painful duty to disabuse the minds of our readers of these gratifying impressions. The shocking affair, which happened on Monday afternoon in one of the public schools of the neighboring city of Brooklyn, might be repeated at any moment in any of the school-houses of New-York; for of all those school-houses, "spacious, commodious, tasteful and pleasant" as they are, there is not one which is not exposed equally with the Brooklyn School-house No. 14, to a sudden conflagration from causes beyond the power of the most careful teacher to control, with all its natural consequences upon the minds of a multitude of children.

Brooklyn School-house No. 14, it appears, was a "model school-house," built only four years ago under the eye of the Chairman of the Committee, who took "extraordinary pains to make it a perfect school-house." The New-York catastrophe of 1851 seems to have been borne in mind; for there was no "well of horror" in the stairway, and there were three principal doors to the building, all opening outwards, and all of reasonable width. Nevertheless, as soon as the pupils became thoroughly frightened by the fire, which in this case was not a cry alone, but an authentic conflagration, they rushed along the passageways, choked the stairs and crushed each other in the lobbies, till, in spite of the admirable behavior of their teachers, and of some of the older among themselves, six of the smallest children were smothered in the press. Doubtless thanks are due from hundreds of parents in Brooklyn, that the lesson of our more appalling catastrophe had been profitable enough with their School Committees, to insure the improvements which so far limited the results of this fearful scene.

But it is not desirable, surely, that we should rest contented with an advance which simply lowers the per centage of infant slaughter in such cases. It is not tolerable that even six out of nine hundred children should be massacred because our Committees, in making their school-houses "spacious, commodious, tasteful and pleasant," forget at the same time to make them *fire-proof*. It is possible that some improvement might be devised in the internal arrangements of our schools, which would dispense with the necessity of those numerous flights of stairs and extensive passage-ways, in which the terrified victims of the disasters of 1851 and 1858 found the proximate cause of their death. But, in any case, it is entirely feasible to make a panic from fire *impossible*, and being feasible, it seems to be but natural that those who have children to send to school, and who object to seeing them either burned or crushed out of existence, should insist that it be done.

If the Board of Education can find taxpayers willing to spend nine thousand dollars a year in the purchase of pianos, they certainly ought not to meet with any difficulty in raising whatever sum may be necessary for insuring as much of safety to the children intrusted to their care, as they would think it their duty to provide for a bundle of public documents, or a portfolio of State scrip.

### Imperial Socialism.

The firmness with which the commercial interest of France has met and withstood the onset of the tempest which has prostrated credit throughout the rest of Europe and America, has naturally enough excited the attention and piqued the curiosity of mankind. For an indefinite number of years we have been accustomed to associate ideas of flimsy extravagance and of unreal display with the name of France. The popular delusions which have made the conception of a Frenchman identical with frogs and fiddles in the vulgar mind, have not left the more cultivated intellect of England and America entirely unscathed. And had the question of the relative solidity and strength of the financial systems of France, England and America been put to a dozen merchants of London or New-York but six months ago, there can be but little doubt that ten out of the twelve would have sneered at the mere notion of any serious comparison between the stability of the Gallic and the Anglo-Saxon worlds. John Bull was not more confident than Brother Jonathan of his immense superiority in all matters of practical administration and substantial resource, over the volatile and showy children of the "lovely land of France." Up to this very hour, in fact, we presume that multitudes of our "lion-hearted democracy" persist in believing that the trade of the United States is more extensive than that of the Empire of NAPOLEON, just as devoutly as the clowns of Hampshire or Northumberland believe that one Englishman can infallibly whip three Frenchmen on shore and six at sea.

All such honest conservatives of ignorance must be sadly puzzled by the spectacle which France actually exhibits. While the ramifications of the financial disorder which has pervaded the United States are stretching through the British Islands and far into the interior of Germany, France resists and repels the invasion. Glasgow and Liverpool, Hamburg and Stettin, reel beneath the shocks propagated from New-York, and London herself is startled to the very core of her mighty organization. But Paris makes head against the storm, and though she recognizes its force, refuses to succumb to its influence. If the secret of this exceptional strength can be truly hit upon, it is certainly worth the trouble of looking for it.

It is not to be found in the absolute freedom of France from those great disturbing causes which have elsewhere disarranged the machinery of commerce. The enormous inflations of mercantile speculation to which the dislocations of finance in England and America, Scotland and Germany, must be mainly attributed, have been paralleled in certain parts of France by bubbles less numerous, indeed, in the aggregate, but, on the other hand, of more colossal individual proportions. The one gigantic scheme of the *Crédit Mobilier*, for instance, fairly balances a whole school of Royal British Banks, and a whole network of railways loaded with floating debts, while Wall-street itself might take a lesson from the activity of the operators at the *Bourse*, and of their subordinates in the *Passage de l'Opera*. Neither is the comparative exemption of France from the disasters of the crisis to be accounted for by the relative solidity of the basis on which the legitimate business of the country is transacted. France is unquestionably the richest country of Christendom—the most powerful, that is in respect to the proportion between her absolute commerce, foreign and domestic, and her absolute production. But whatever may be the accuracy of the balances on which French trade is adjusted, it is impossible that the relations of her merchants and manufacturers with their correspondents in foreign countries should not have been thrown out of order by the disarrangement and stoppage of commercial transactions in those countries. A manufacturer at Lyons may conduct his affairs on sounder principles than a manufacturer at Bradford or Lowell, but if his connections with London or New-York are extensive, and if those connections are suddenly confused, it is clear that he must suffer immediately to the extent of the confusion. And had no extraordinary element been interposed to readjust the movement of things in France we must have witnessed a perturbation there quite analogous with, if not quite coextensive with the afflictions of the rest of the world. Such an extraordinary element, however, has been interposed, and to its presence, however unwelcome her politicians and economists may esteem it, France is indebted for her actual attitude of tranquil superiority.

The will and energy of one man have arrested in France the tides which overswept republican America, constitutional England, and despotic States administered by sovereigns of a less sovereign nature than the third NAPOLEON. Remarkable as has been the whole history of the present ruler of France, and brilliant as have been the many proofs which in times past he has given of an energy in the hour of success fully equal to his audacity in the hour of misfortune, no incident in his career more strongly presents the imperial nature of the man than the promptitude and courage with which he has seized upon the cardinal principles of that very socialism over the ruins of which he rose to power, when the safety of his throne and peace of his empire demanded it.

The capitalists and the mercantile classes of France were reconciled to the *coup d'état* of December 2, so far as they were reconciled to it at all, by the belief that the autocracy of the Bonapartes was their only refuge from the ochlocracy, or mob-rule of the communists and the *prolétaires*. They chose the bayonet, bitterly as they hated it, rather than the barricades, for they saw in the bayonet only a certainty of regular taxation for the purposes of government, while they feared from the barricades a system of contributions for the support of society. They sacrificed the charter and the right to talk in the Chamber of Deputies, that they might escape the "organization of industry" and the "right to labor." NAPOLEON III. has now inflicted upon them the terror from which they shrank to make way for his march to the Tuileries. When he saw France threatened by an invasion of the crisis, and discerned in the near future all the excitements and perils of factories suspended, workmen thrown out of employment, and starving *faubourgs* of fiery *blouses*, he at once declared war against the panic, just as in 1854 he declared war against the Czar. He counted the cost with the swift eye of genius, and perceiving at a glance that taxation to defray the expenses of supporting the industry which is the best guarantee of his dynasty against revolution, was at least as legitimate as taxation to defend the policy of his empire abroad, he flung the gold of the Treasury into the scale against the suspension of mercantile credits, and ordered the employers of France to go on with their enterprises, promising himself to indemnify them for the *deficits* in their customary receipts. He issues "decrees" applying the collected revenue of France to the needs of the impoverished classes, and converts LOUIS BLANC's dream of the "National Workshops" into a practical fact. The taxpayers grumble—the statisticians and the economists hold up their hands in horror. No! is it easy to predict the final issue of a step so unprecedented and so decisive. But if they can conquer who believe they can, the imperial socialist of France should win his game, for he is of the small class of the men who take counsel in great emergencies neither of precedents nor of consistency—but make all means serve their ends, and reject no lever which can lift the weight that oppresses their design. Other nations, however unlikely to imitate, should not fail to study the example now presented by France of an experiment which dwarfs the Cæsarian socialism of antiquity, and sets utterly at defiance all the doctrines which for half a century have inspired the economics of the world.

PREMATURELY JUBILANT.—The recent escapade of our London namesake on the subject of Slave labor has created a regular *furore* among our cotemporaries south of Mason and Dixon. Among the most excited and jubilant of them is the *South-Side Democrat*, which fairly effervesces with joyous delight at the imagined prospect of a return to Slave labor in the British West Indian provinces. There is not the least possible foundation for any such anticipations; in fact, there is none whatever, but our friends down South are grateful for the very smallest favors. On the mere strength of what the London *Times* said, the *South-Side Democrat* jumps violently at the conclusion that

"The chimerical projects of amelioration and reform, and all the foul brood of destructive 'isms, engendered in the 'seething brains' of crazy fanatics, will be forever scouted by the common sense and sober reason of mankind, and Mrs. HARRIET BEECHER STOWE, and her sympathetic class, will soon find the 'unreached Paradise of their despair' in the discarded heresy of universal freedom and equality."

All this may happen in the course of human events, but it is rather premature to announce that the "heresy of universal freedom and equality" has been discarded, or that "all the isms" and fanatics have been forever scouted, or are about to be. Our Southern friends have begun to halloo before they are fairly out of the woods.

TELLING TALES OUT OF SCHOOL.—The Washington correspondent of the Charleston *Mercury* is a very dangerous friend of the Administration. He seems to be thoroughly posted in the movements and motives of the Southern wing of the Democratic Party, and he tells what he knows without the slightest consideration of the effect its disclosure may have upon the course of public affairs.

In a recent letter he exposes the reason of the forbearance exercised by the Southern fire-eaters in Congress towards President BUCHANAN on the Walker question. They are afraid of *weakening* his Administration, and thus depriving it of the power to *force* the Lecompton Constitution through Congress. They admit that Kansas cannot come in except through the active and determined support of the President,—and they are anxious to strengthen him as much as possible, so as to make this support effective!

This same writer asserts as a fact that last Summer President BUCHANAN wrote to Gov. WALKER saying in the most explicit manner that the Constitution *must* be referred back to the people for approval or rejection. He concedes also that the admission of Kansas with the Lecompton Constitution "*will be the destruction of the Democratic Party.*" After such an admission as this it is scarcely worth his while to imagine motives for the course of Senator DOUGLAS and Governor WISE.

### A Concert and a Correction.

There is to be a Charitable Concert, to-night, at the Baptist Church in the Fifth-avenue, and notice has been given to the musical public that one of the most accomplished *amateurs* of this City—no less a person, indeed, than our valued cotemporary and friend of the *Courrier des Etats Unis*, M. DE TROBRIAND—would there appear and execute, in company with one Signor ALOJMO, a *duetto* from the opera of "Belisario." This was certainly a very agreeable piece of information to all who thought of attending the Concert in question, but, as M. de TROBRIAND writes to us, it is a piece of information which might, with great propriety, have been communicated to himself before it was vouchsafed to the public. He requests us to say that although both concerts and charities have his hearty approbation and cordial good-wishes, and although he sincerely hopes that the music of this particular concert may be perfect, and the receipts of this particular charity abundant, yet he must deprive himself of the pleasure of participating either directly or indirectly in the proceedings of the occasion. We cannot comply with M. DE TROBIAND'S request without observing, on our own responsibility, that if there be a greater grievance in a small way than the forcing a man to be a bogus Vice-President of a political meeting, it certainly is the compelling him to figure as an amateur candidate for musical honors and charitable usefulness.

☞ A man named KING had one of his great toes taken off by a printing press in WILLIAMS', Ann-street, yesterday. He was taken to the Hospital and cared for.

## Mr. Aspinwall's Murillo.

During the last few years the public taste of this country, and particularly of this City, has undergone a development as manifest as it is delightful to all true amateurs who are also true patriots. Absorbed, as we are all supposed to be, in the exclusive worship of Mammon, we nevertheless contrive to entertain Apollo and the Muses in no unseemly manner; and, if our native production of æsthetic works has not kept pace with the advance of our power and our wealth, we at least have no reason to be ashamed of the progress which we have really made. While the class of money-lovers and money-getters has been growing enormously in the lands heretofore specially dedicated to art and to the amenities of life, the class of money-spenders has been growing in America quite as fast, perhaps, as should be wished; and as money-spending, like all other occupations, is susceptible of indefinite improvement, the spirit in which we spend our money is gradually, but very surely, rising with every year. For the last three months we have sustained respectably, if not liberally, four considerable exhibitions of paintings, all of a high class, in this City; and while the latest and freshest of these collections is still appealing to the sympathies as well as the tastes of the public in the name of charity, we find a fifth saloon thrown open on the same double plea. Messrs. WILLIAMS & STEVENS have given the use of their showroom to two excellent institutions, the Home of the Friendless, and the Society for Befriending the Children of Seamen, for the exhibition of a single work of art by one of the authentic "great masters," which has been generously put at their disposal by the liberal and tasteful owner, Mr. W. H. ASPINWALL. MURILLO'S picture of the "Immaculate Conception" merits in every way the distinction thus accorded to it. It is unquestionably the finest original painting of its class ever brought to this country, and ought to do its share toward making the whole brood of "copies" as odious here as they are now esteemed to be everywhere out of England and America.

Although the discussions which resulted in, and followed from the publication, by Pope PIUS IX., of the dogma of the "Immaculate Conception," ought still to be fresh in the minds of our readers, we do not believe that we shall do them a disservice by briefly explaining the *motive* of this picture, which is liable to be, and no doubt already has been, confounded with the more familiar pictures of the "Assumption." The doctrine that the Virgin Mother was herself conceived without the taint of mortal sin, though strenuously held throughout all the history of the Church, and preached with fervor at all times, and especially by the Order of the Franciscans, was never formally recognized by any Pope till the observance of the Feast of the Conception was sanctioned by SIXTUS IV., just about the time of the discovery of America, and it has never been incorporated very thoroughly into the popular creed of any Catholic country excepting Spain. It has accordingly been not only a specific but almost an exclusive subject of Spanish art, and the pictorial canons of its symbolization were laid down first in 1618 by the Spaniard PACHECO. The Virgin conceived without sin was to be represented, according to these canons, as a young girl of twelve or fourteen—a pure and spotless rosebud of womanhood, a creature of stainless light, like that woman seen in the Apocalyptic vision who was clothed with the sun and, standing upon the crescent moon, was crowned with twelve clear stars. Cherubim were to bear her up, and tenderly to bend over her from above, weaving about her the spells of the lily and the palm. Her tresses were to be of a fair golden hue, her robes of white, her mantle of cerulean blue. She was to symbolize, in all respects, that sinless second Eve, who was the destined Mother of Salvation, as the first of Death, and far beneath her the bruised serpent was to writhe in hopeless anguish.

This idea is preserved in most of the finest pictures of the Conception which exist, and particularly in those of GUIDO, four of whose best works are consecrated to this theme, and who stands almost alone among the better Italian masters in treating it. The same characteristics, in the main distinguish the much more numerous attempts o MURILLO to do honor to "*Maria purisima sin peccado concebida.*" Twenty-five pictures of the Conception, by his hand, are known to exist. They are of all sizes, from the superb Seville picture "Conquered" by SOULT, and bought at the sale of his gallery in 1852 by the French Government, for the enormous sum of $122,500, down to an exquisite gem in the possession of Lord OVERSTONE, at London, and of very various merit. But MR. ASPINWALL has been fortunate enough to secure one of the best, and possesses a picture most agreeable in its proportions, admirable in the design, and masterly in color. Its original destination we cannot now recall, but it was for a long time one of the ornaments of the royal gallery of the Prado, at Madrid, from which it was stolen—we beg his pardon—*obtained* by General DESSOLLE during the French occupation of 1808, and by him sold to WOODBURN of London, a man dear to all connoisseurs in more than one sense, from whom it was purchased by WILLIAM II., of Holland, for his private gallery at the Hague. As there exhibited, in a clear, soft light, it was one of the best imaginable specimens of the master's most peculiar merits. The flesh tints are pervaded by the luminous quality in which MURILLO delighted, and which made Sir D. WILKIE say that he "washed his bodies in sunlight"—the harmonies of the draperies are as marvelous as those of the famous picture, which everybody knows, in the Louvre, and the expression of the face of the Virgin is greatly more refined and spiritual, without being less tender and human than is usual with MURILLO'S women. The painter has departed from the conventional type in clothing the lovely head of Mary with long dark tresses; but it is hard to quarrel with him on that score, since the heresy is a fancy of parental affection. The Virgin in this picture, as in another very beautiful repetition of the same subject in the possession of Lord ASHBURTON, is a portrait of MURILLO'S own daughter FRANCESCA, whom he devotedly loved, like a true man as he was. The inclination of the painting in its present position conspires with the abominable influence of the gas-light to thicken and discolor the atmospheric effects, and little but the sentiment of the composition can be fairly appreciated by those who have never seen it in other circumstances. Still, for the sake of the poetic value of the picture alone, we earnestly urge it upon all our readers to embrace this opportunity of teaching themselves a precious lesson while they do a good work.

We hardly know whether to take the trouble to contradict a ridiculous story which has obtained circulation to the effect that this picture was bought at the sale in the Hague for the sum of $30,000. The price of such a picture is of small importance to our public; but such preposterous stories smack of a kind of barbarism in our taste from which it is, perhaps, worth while to vindicate ourselves.

The pictures of WILLIAM II. were sold in 1850 by order of his son, WILLIAM III., for the purpose of paying the debts which he bequeathed. The sale occupied several days, and was extremely interesting. Russia, France, Prussia, Saxony, and other States appeared, by their agents, in a sharp rivalry with individual amateurs, of whom the most conspicuous was the English Marquis of HERTFORD, and the scene for several days was as brilliant and exciting as an Olympian game. The highest price paid for any picture was $20,000 for a *chef d'œuvre* of LIONARDO DA VINCI, (whose works are extremely rare,) knocked down to Russia after a fierce contest with France and Lord HERTFORD. Another masterpiece, by ANDREA DEL SARTO, was carried off for $16,000 by Lord HERTFORD, after a "free fight" with all Europe, which was so prolonged and ardent that, before the buzz which followed the decision had subsided, a splendid Salvator was knocked down almost unobserved for $150 to a lucky Londoner. The Murillo now owned by Mr. ASPINWALL was bought, if we mistake not, by a Mr. ROOS, of Holland, for about $14,000. What Mr. ASPINWALL may have given for it we do not know, but certainly he cannot have thrown upon it a sum which not even a House of Commons Committee would think of suggesting.

MAYOR TIEMANN AND THE POLICE.—We are glad to see that Mayor TIEMANN, in accordance with the suggestion made by us some days ago, has induced the Police Commissioners to pass a resolution memorializing the Legislature to repeal the 12th section of the Metropolitan Police act, under which it has been held that no officer dismissed for any cause whatever can be reappointed.

The Mayor feels the need of that skill and experience which many members of the old Municipal Police force undoubtedly possessed; and his argument in favor of the reappointment of Captain DOWLING has been indorsed by every property holder in the Sixth Ward, and every public officer connected with the administration of criminal justice in the City. We trust the Mayor may be successful; and that when the character of officers of the old force is good, and their experience, integrity and activity so widely and highly vouched for, no mere partisan or personal prejudice may longer continue to deprive our City of their services. The City needs such men, and no technical scruple ought to stand in the way of their prompt reemployment.

### Academy of Music.

After a season of unprecedented effort and vicissitude, the regular performances at this house came to a close last night. And it was a triumphant close. The house presented a gorgeous appearance; filled in every part with the fashion, beauty, talent, and everything else of the City. Altogether it was a better assemblage than we have seen this season, and a better paying one, we fancy. The performance was "Don Giovanni," and it was given with an effect that added to the regret attendant on the temporary suspension of the season. It is good management to leave this impression on the public mind, and it will benefit Mr. ULLMAN next season. The activity displayed by this gentleman deserves commemoration, and a brief summary of the doings of the season may not be uninteresting. Sixty-four performances have been given in all: of which 50 were of Italian Opera; 4 of German Opera; 6 of Oratorios, and 4 of a miscellaneous character, such as the Thalberg Festivals, and the Benefits of the Fire Department, &c. The Operas produced were the "Somnambula," "Norma," and the "Puritani," by BELLINI; the "Trovatore," "Rigoletto," "Traviata," and "Ernani," by VERDI; the "Barber," "Semiramide," and "Italiani in Algieri," by ROSSINI; "Lucrezia Borgia," the "Elisir d'Amore," and "Lucia di Lammermoor," by DONIZETTI; "Martha," by FLOTOW; "Fidelio," by BEETHOVEN; "Robert le Diable," by MEYERBEER; and "Don Giovanni," by MOZART.

The pecuniary result of the season is, we believe, satisfactory. If Mr. ULLMAN has not made money he has at least paid his way, and obtained a valuable and admirable theatrical wardrobe. He feels himself justified in applying for an extension of his lease, and at the approaching meeting of the stockholders will propose to take the house for an extended term of five years. A period like this is necessary for a manager to turn himself in. By engaging his artists for one or two years instead of as many months, he obtains them at a vast reduction, and secures better artists. Mr. ULLMAN certainly deserves well of the public and of the stockholders of the Academy, whose property he has greatly enhanced in value. For instance, last night seats were sold at four and five dollars premium.

AMATEURS' CONCERT.—The charitable concert by Amateurs takes place to-night at the Baptist Church, corner of Fifth-avenue and Thirty-fifth-street. Miss SECHOR, Mrs. BECHER, Miss ANDRUS, Signor ALAJMO, Signor MANZOCCHI and others will assist.

MENDELSSOHN UNION.—A rehearsal of "Jeptha and his Daughter" will be hele to-night by this Society at the Home Chapel, Twenty-ninth-street, near Madison-avenue.

NIBLO'S GARDEN.—Mr. DAN RICE, the humorist, has recovered from his indisposition, and will resume his duties in the arena.

LAURA KEENE'S THEATRE.—The drama called "The Lighthouse," written by Mr. WILKIE COLLINS, for Mr. CHARLES DICKENS, and played by the distinguished novelist and other literary celebrities, with great success, will be produced here. It has been a long time in preparation.

WALLACK'S THEATRE.—We clip the following from a Pittsburg paper:

"'The Poor of New York' is the taking title of a play in five acts which has had a continuous run of forty nights at Wallack's Theatre, New-York, and is still being played nightly to immense audiences, eliciting an enthusiasm never before equaled in that excitable City. It is also being played nightly to crowded houses in Philadelphia, Baltimore and Boston, and is underlined for immediate representation at the theatres of Cincinnati, Chicago, Louisville and St. Louis. It is thus rapidly obtaining a national reputation unparalleled in the dramatic history of the country. Therefore it is not strange that the Manageress of the Theatre was on the alert to give it early production here—and having such a reputation she has a right to expect it will meet with a similar success in this city. It was produced for the first time on Saturday evening and created quite a *furore*.

### Ticket Swindling—Picking Pockets and Confidence Operations.

The new efforts of the Superintendent of Police to put a stop to the impositions in the way of ticket-swindling seems to have given new life to the whole fraternity of scoundrels who thrive by this kind of villainy. From thirty to forty tickets were sold to various persons at enormous swindles; several persons had their pockets picked on board the steamer as she was on the point of sailing, and on Tuesday and Wednesday several successful confidence operations were practiced upon outgoing Californians. An old man from Muskingum County, Ohio, who came here with a young man named ERASTUS F. RILEY, from the same county, was taken to the office No. 109 West-street, and with his friend swindled in the price of two tickets out of $110. The robber has kept out of sight since, and the old man has been compelled to abandon his trip and return to Ohio. He gave all his remaining funds to make up enough to pay his friend's way on the steamer. The bogus venders of tickets charged from $150 to $200 for a steerage passage, according to the verdancy of their victims. In some cases the officers, when they saw these greenhorns in the hands of the swindlers, informed them that they were being misled, and pointed out the genuine office, at the same time exhibiting his shield; but the only thanks he received for the information was the astute statement: "I 'spose I can buy my ticket anywhere I please'" Afterwards, however, when he found he was really taken in, he sought out the same officer and wished to know how he could get his money back! but the officer was not communicative.

Two persons were respectively cheated out of $100 and $20 each by the confidence game. A man from Portland, bound to California, met an agreeable person on the street, who fell into conversation with him. By *accident* the stranger mentioned that he was going to San Francisco; the Maine man was delighted to hear it—he was also going by the *Star of the West*. He was then on his way to purchase some harness, and would like his friend to assist him in selecting it. Greenhorn agreed. After walking a few blocks, he stepped into a policy shop where "Exchange" was written on the window, and handing out a $100 bill on the *Safety Fund Bank*, desired small bills for it. They had none in the office, and both again walked on. Confidence now turned to his new acquaintance, and asked him if he would let him have a hundred dollars in gold, and take the bill for a few minutes until he could make his purchase. "Most willingly," said the Maine man, and he counted out the gold, taking the bill. At the next corner he missed his new acquaintance, and has not seen him since. The Pine-tree man thinks his friend was dishonest. The man who lost $20 went through the same process. Both have gone to the diggings with their confidence in mankind badly shaken.

One person, who had his pocket picked on board the boat, lost his tickets. Mr. WICKHAM took pity on him, and gave him duplicates.

Mr. RAYMOND has received information that there are a number of persons at Aspinwall, without means to get away. They had Aspinwall tickets swindled on to them here for *through tickets*, and did not discover their imposition until getting to sea.

SAILING OF THE "STAR OF THE WEST."—The United States Mail steamship *Star of the West*, Capt. GRAY, sailed for Aspinwall yesterday at 2 o'clock P. M., with the California mails, and about 350 passengers, there being the usual number of women and children. Ex-Gov. ANDERSON, of Maine, and Gen. WHALEN, Government officials, and Major CROSS, and R. L. OGDEN, Quarter-masters, were among the passengers.

### Later from Havana.

ARRIVAL OF THE BLACK WARRIOR.

The United States Mail steamship *Black Warrior*, J. W. SMITH Commander, from New-Orleans 12th, and Havana the 15th inst., arrived at this port early yesterday morning.

Part of the Spanish fleet, viz: 1 frigate, 1 ship-of-the-line, 1 sloop 1 brig, and 1 steam frigate, sailed from Havana on the 12th inst., for a cruise in the Gulf, for the health of the crews, but a rumor is afloat (though not generally credited) that SANTA ANA is on board, and that the real intention of the cruise is to pay their respects to the Mexicans at Vera Cruz.

The United States steam-frigate *Wabash* arrived at Havana on the morning of the 15th. She has on board Captain FRANK ANDERSON, and his command of about 40 men, the last of the Nicaraguan heroes.

The weather continues very warm. Business dull. Exchange on New-York short time 5@7 per cent. premium; London 118@120 per cent.

The *Warrior* brings $82,000 in specie from Havana.

## NICARAGUAN AFFAIRS.

### Letters from Senor Yrisarri to Secretary Cass—His Views on the Capture of General Walker.

The Washington *Union* of yesterday publishes divers official communications from Señor YRISARRI the Nicaraguan Minister, to General CASS, on Central American affairs. The two which we subjoin, being the latest, alone contain anything of fresh interest or importance. It will be seen that Señor YRISARRI, in behalf of his Government, makes no complaint of the action of Commodore PAULDING, but thanks the Government of the United States for effective assistance. The following are the Minister's letters to Secretary CASS:

[*Translation.*]

LEGATION OF NICARAGUA,
BROOKLYN, Dec. 13, 1857.

EXCELLENT SIR: After giving notice to your Excellency, by the telegraph, of the landing of WALKER'S hostile expedition on Punta Arenas, without the prevention of such landing by the armed vessels of the United States, or even the overhauling of the *Fashion*, laden with men and arms, I have deemed it proper to call your Excellency's attention to the fact, already long announced, that another expedition is now ready at Mobile, and about to sail thence to reinforce that which has succeeded in landing on the territory of Nicaragua; and that the person called Gen. HENNINGSEN has lately gone from New-York to New-Orleans to accompany this reinforcement.

I trust that the Government of the United States will take all such measures as may be necessary to the end that this reinforcing expedition, as all others which it may be intended to set forward, whether from California or from any other point of the Union, may be detained and not be allowed to continue baffling the measures of the Executive power. I further trust that proceedings will be instituted against the violators of the laws of neutrality with that rigor which is required for the maintenance of peace and of fair understanding between friendly and neutral nations.

With very high consideration, I reiterate the assurance to your Excellency of my being your very respectful and obedient servant,

A. J. DE YRISARRI.

Hon. SECRETARY OF STATE of the United States, &c.

BROOKLYN, Dec. 30, 1858.

The undersigned, Minister Plenipotentiary of the Republic of Nicaragua, has the honor of communicating to his Excellency the Secretary of State of the United States, that, on the 15th of last month, the authority of the Republic of Nicaragua was assumed by General MARTINEZ, elected to the Presidency by an immense majority of votes, and that one of the first acts of the new head of that Republic was to confirm the appointment made in the person of the undersigned by former national Governments as Envoy Extraordinary and Minister Plenipotentiary to the Government of the United States.

The undersigned deems it also to be his duty to inform his excellency the Secretary of State that the constituent assembly of Nicaragua has approved and confirmed the contract made by the undersigned with the American Atlantic and Pacific Ship Canal Company, the only one vested with the privilege of carrying across the isthmus—as the only one also which, for the present, so long as the Government will not have otherwise disposed, has the right to carry emigrants to that country, under such conditions as have been imposed on said company. All other emigrants or colonizers whatsoever that may be conveyed to that country will be refused admission, and compelled to depart from the Territory of the Republic; or they will be dealt with as enemies of the Republic, should they appear there in the character borne by those lately introduced by the incorrigible adventurer WILLIAM WALKER.

The undersigned, in the name of the three governments which he represents, returns thanks to the government of the United States for having taken away the adventurer WILLIAM WALKER and his invading band from the point of which they had taken possession on the coast of Nicaragua; thus freeing those friendly countries from the evils with which they would have been visited had these disturbers of the peace of nations been allowed the possibility of increasing their forces by new recruits. Those, who in the service which the government of the United States has rendered to its friend, the republic of Nicaragua, would seek for a warrant to say that the Nicaraguan territory has been violated, will hardly find it, from the moment that the world will have learned that the Government of Nicaragua, far from complaining of a violation of her territory, looks upon that act as an assistance, directed in behalf of its inviolability, which was wounded, in effect, by certain adventurers from the United States; and that it considers such assistance, extended by this Government, as a consequence af the measures which, by his note of the 14th of September last, the undersigned had asked this Government to adopt, giving orders to the Navy of the United States to capture the violators of the laws of neutrality.

The point from which Commodore PAULDING forced away those bandits, the violators of the laws of all nations, and, as such, justly assimilated, by the law of nations, to pirates and foes af mankind, is an almost desert one, on which there exist no Nicaraguan authorities that could have managed the apprehension of those felons. Nicaragua, therefore, considers that the proceedings of Commodore PAULDING against WALKER and his horde were entirely justifiable; for, as a man-of-war of any nation may take up pirates from a desert island, or one so thinly peopled that they can assert their dominion over it, although that island might belong to another sovereign nation, just so can bandits be apprehended, as enemies of the human race, by the armed vessels of a friendly nation, on a point of a foreign coast, which may be placed under circumstances like to those of the island mentioned by way of illustration.

Considering it highly important that the tenor of this note—especially the portion touching emigration to Nicaragua—should be made public, the undersigned would entertain the hope that the Secretary of State will find no objection to have its contents published.

The undersigned, with highest considerations, has the honor of tendering to the Secretary of State the renewed assurance that he is his respectful servant.

A. J. DE YRISARRI.

Hon. LEWIS CASS, Secretary of State, &c., &c.

A FOOL AND HIS MONEY, &C.—A Drover Loses $800.—A cattle-drover named LEIGH, from Steuben County, New-York, was robbed near the Ferry in Hoboken, on Tuesday night, of about $800 in bank bills, the proceeds of a drove of cattle that he had sold in New York on Monday. He had been drinking freely, and had indiscreetly exhibited his money in several bar-rooms. He was in at the Hudson County Hotel, near the Ferry, during the evening, and there spread his money out upon the bar, and challenged some persons who were present to throw dice with him "for $20 a pop." His proposition not being accepted, he soon left, but had been gone only a short time when he returned, and complained that he had found customers who had thrown him, (instead of the dice,) and relieved his pocket of about $800. He said that four men attacked him—three of them held him, whilst the fourth thrust his hands in his pocket and took the money, and then all ran away. Three young men were arrested upon suspicion of being concerned in the robbery, but were subsequently discharged for want of evidence against them.

### Personal.

The Philadelphia *News* of yesterday says: Thomas Allibone, Esq., the ex-President of the Bank of Pennsylvania, arrived at Walnut-street wharf yesterday afternoon, on his return home from his European tour, which was taken for the benefit of his health. He was met at the steamboat landing by a number of his friends.

Hon. Edward Everett has arrived in town and taken apartments at the Everett House.

FOUND DROWNED.—JOHN GROSHAN, a colored man, on Tuesday night, while intoxicated, accidentally walked off the Pier foot of Spring-street, N. R., and was drowned. The body was recovered yesterday and the Coroner notified.

### The Robertson Trial.

On Monday, at the trial of JOHN B. ROBERTSON, in Rochester, the concluding evidence for the defence was put in, and the prosecution followed with rebutting testimony.

EVIDENCE FOR DEFENCE.

In relation to the claim of defence to introduce evidence of Mrs. HART'S relations with Dr. BIEGLER, (the point in dispute on Saturday,) the Court decided it to be inadmissable, on the ground that the testimony sought to be introduced seemed to be merely unnecessary personal scandal, which is not properly connected with this case. If it was sought to be denied that Mr. HART sued Dr. BIEGLER, it might be pertinent; but so far as proving that young BIEGLER spoke the truth, it is not proper. The evidence on that point was therefore excluded. Defence directed to have an exception noted.

The following tends to show an *alibi*:

*John Crombie* sworn: Resided on 29th August last in this city; was a Director of the Eagle Bank; Wm. H. Cheney was President, John B. Robertson Cashier; I was appointed a Committee to count the cash and examine the affairs of the Bank, to report at the quarterly meeting 1st September; acted as such, I think, on the P. M. of *the 29th of August*; commenced at about half-past five, and continued about three-quarters of an hour; *Robertson was at the Bank at the time*, and Mr. Cheney; left after the counting was concluded, Mr. Robertson and Mr. Cheney being still in the Bank; the count should have been made on every instance, on Friday evening, but it being inconvenient for myself and Mr. Danforth to attend, we did it on Saturday; some of the books have since been burned; there was a discrepancy of a few shillings, and referring to Mr. R. for explanation, he said it was caused, probably, in counting foreign coin; (the question was put whether the witness had looked at the books subsequently with reference to that discrepancy, and the prosecution objected to it, unless the witness saw the memorandum or made it himself:) Mr. Crombie said he made a memorandum himself, as he always does in such cases, comparing it afterwards with that of the Cashier, and then putting it in his own pocket; when spoken to, after Mr. R.'s indictment, as to the recollection of the evening, he referred to the memorandum of the discrepancy and found it to occur on the 29th August.

*Wm. H. Cheney*, sworn: President of the Eagle Bank, *on the 29th August last*; remember the occasion of the counting of the money by Danforth and Crombie; *it was on Saturday, 29th August; I was present*; count was concluded about quarter past six; both Crombie and Danforth left before me; Robertson was present; I had not been to tea; went home to tea afterward; live about a mile from the bank; went back to the bank after tea; *found Mr. Robertson there*; been absent three quarters to an hour; remained at the bank; *Mr. Robertson with me*; went to the post-office from the bank; my impression is the post-office was closed; had been examining the books preparatory to a quarterly report; George Hawley, the boy, came into the bank in the evening while we were there, and inquired if he should light the gas burner in front of the vault, which is usually kept burning all night; Mr. Robertson remained in the bank during the whole time I was there; think he left with me.

The probabilities of overhearing conversations through a door, are set forth by other witnesses, as follows:

*Henry Searl, recalled and examined by Mr. Martindale*—During this noon I have been subjected to a test to see if I could distinguish voices; stood outside a door, with my head near it; heard two persons converse on the other side of the door; supposed one was Perry, and the other voice I did not know; when the door was opened, saw Mr. Tate and Mr. Benedict; this was in the Arcade; have known Mr. Benedict four or five years, and Mr. Tate something about four years; have been employed by Mr. Benedict as an architect; *did not know either of their voices*; knew Perry very well.

*Cross-examined by the District-Attorney*—Recognized Mr. Martindale's face at this same time; did not see him; Mr. M.'s voice is not more peculiar than Mr. Robertson's; the talk continued there three, four or five minutes.

*George Tate*, sworn and examined by Mr. Martindale: Was present at this experiment; have known Mr. Searl since 1850; have employed him as an architect; while Searl was on one side of the door, and I on the other, the door was open six inches; Perry did not speak a word; myself and Mr. Benedict did the talking.

*Cross-examined by Mr. Martindale*—Went there at Martindale's request; inquired of Benedict, "Wm. C. Bryan, how is your family?"; Benedict answered, "They are well, Sir"; I said, "Does your wife continue her school?"; he said, "Yes"; I then asked, "How many scholars has she?" he answered, "Forty or fifty"; this was all.

*Selch Matthews*, sworn and examined by Mr. Martindale: Was present when this test was tried; knew that the parties did not know who was talking; did not recognize Mr. Benedict's voice.

The Posecution now proposed a test of the facility of witnesses to identify Robertson by the sound of his voice, and asked that he read passages from a volume. The Defence objected unless the witnesses to the interviews go into a closet and listen *with a door between them*. Then if they can identify Robertson's voice from those of others, who will read at the same time, the test will be regarded as a proper one. The test was not further urged.

REBUTTING TESTIMONY.

*Mrs. Jane Elizabeth Bryan* sworn: Resides in this city; know Mrs. Robertson; during last Summer was at Dr. Biegler's house, on St. Paul-street; had heard of Mr. Robertson's having been to New-York, and had heard of his return; it was the day previous to my being at the Doctor's that he returned.

Q.—Did you see Mr. Robertson there? [Objected to.] Mr. Matthews said it was no part of their case.

Mr. Tremaine said it was a part of the case as rebutting. The design is to prove that he called to leave a message for Dr. Biegler during his absence, and informing him that he would be there again that evening. By way of repelling the evidence tending to show that he was not there, they claimed the right to produce testimony tending to show that he was there. This is distinct and pertinent.

Mr. Selden said the prosecution attempted to prove that he was at the Doctor's on a certain evening, and there committed the crime charged. On that they produced all the testimony they had, and the defence replied to it. The prosecution had no right to introduce new testimony now; they should have exhausted their testimony in the first place.

The Court ruled out the evidence as cumulative. This is the same class of evidence as that of Putnam and Miss Biegler, and this is merely additional.

The District-Attorney said he was satisfied. This evidence the prosecution did not know of until this morning, or they would have introduced it before.

Mr. Martindale said, if it had been introduced the defence would have furnished plenty of explanation, and by the people's evidence.

The District-Attorney proposed to call witnesses to prove that the course pursued by Biegler was in consequence of advice given by certain parties.

The Court thought this would be pertinent by way of meeting the assumption of conspiracy on the part of Beigler, and to disprove the *alibi* set up by the defence.

The Court renewed its suggestion that the defence concede that the witnesses acted under the direction of the public authorities, and not at the instigation of Beigler. That the scheme of manufacturing evidence in this way was not his.

The defence were understood to decline.

The Court decided that the People might show that the contrivance of getting these four men into the position to overhear conversations, was gotten up by the public authorities. They might show this by Mr. Oviatt and the District-Attorney; the declarations of Beigler on the subject would not be admitted. [Exception noted.]

*Mr. Tremaine*—The prosecution proposes to show negatively, by Beigler, that he never yet got up or carried out any scheme whatever in regard to this defendant; also, that he never communicated, or caused to be communicated to the public authorities, the application made to him by defendant in reference to his wife; also, affirmatively, that the whole scheme of procuring these witnesses, was the work of the public authorities, and without, in the first instance, the sanction of the witness.

The defence objected.

It was agreed that witness be called and questions put, the Court ruling in regard to them as they might arise.

*Dr. Joseph Biegler* recalled, and the question put: In what manner the witnesses Oviatt, Cooper, McLane and Searl, were procured to come to your house? [Exception noted by defence, the Court admitting the question.] A.—By Mr. McKay and the District-Attorney.

Q.—Will you state fully how that was brought about? [Objected to. Allowed by Court, so far as acts and agencies were concerned, and not the declarations of the witness. The Prosecution designed to have the witness trace the *modus operandi*.] The Court allowed this question to be put: "By whose contrivance were the witnesses procured to go to your house?" Exception noted.] A.—The first suggestion was received indirectly through Mr. Bishop, the second from the District-Attorney.

Q.—Who communicated it to you? A.—Dr. Havill.

Q.—In consequence of this indirect suggestion from Mr. Bishop, what witness appeared? A.—Mr. Oviatt.

Q.—Who gave directions, in respect to each and every of the other witnesses? A.—The District-Attorney, Mr. Huson.

Q.—Did you consent to the communication being made to the District-Attorney in the first instance? A.—I did not. [The Court thought that rather a questionable interrogation. The defence desired to have an exception noted to each one of the questions thus far asked. The Court framed the question: Did he cause or assent to the communication to the public authorities? A.—No, Sir. Exception noted.]

Q.—Did you ever learn the family history, or any part of it, of Mr. Robertson, from your father? [Objected to and argued by Mr. Tremaine and Mr. Martindale. The question was admitted by the Court.] A.—None, except that Mrs. Robertson was sick; that is all I ever heard from him.

The prosecution wished to ask no more questions.

Mr. Martindale—(contemptuously)—we don't want anything of him. You can go.

District-Attorney Huson and Officer Oviatt were recalled, but nothing of moment was elicited.

The prosecution again rested.

LEGAL POINTS.

The District-Attorney said the Attorney-General alone would sum up the case for the people. Mr. Mathews said the public prosecutor should elect on what charge they would claim conviction, so that the defence might know what they had to meet. Mr. Tremaine had looked carefully at the indictment, and but one offence is charged—the attempt to take the life of his wife. The common law made it an offence, and the statute coincides with the common law.

Mr. MATHEWS said one count in the indictment charged the solicitation of young BIEGLER to commit the offence. A misdemeanor and a felony cannot be united. He cited from the statute to show, what the law provides in cases of attempt to commit certain crimes. The attempt to poison, which is intercepted, or fails, may be punished by imprisonment in the State Prison, not to exceed ten years. By common law, an attempt to commit an offence is a misdemeanor, and not a felony. All the counts in this indictment except the third, charge an attempt to administer; the third charges the administering of a "destructive thing." The statute says nothing about "destructive thing," but speaks of "poison." Another count mentions "deleterious substances"—not poisons. The solicitation of certain destructive things is charged, and he is charged with an attempt to administer certain things which he didn't get—not a logical construction. There is the attempt to injure or produce death, and the attempt to corrupt the mind of Beigler, the latter at most a misdemeanor, which cannot be joined with a felony, according to old rules of pleading which have come down to us. This is the foundation of the application to the counsel to elect. At all events, the defence should know what they are to meet. Certain of the counts are good for nothing, and he should move to quash them.

The Attorney-General argued that the offences charged are substantially the same, and this is not a case in which it is usual to compel an election. Cited WHARTON'S Criminal Law, on this point. The statute defines the attempt to be when any act is done towards effecting the object. Solicitation is one act as set forth in 1st East., and is, therefore, a felony. There is a case reported in which this ground was taken, and the Revisers of the Statutes adopted that as settled by the concurrence of the four Judges making the decision; they raised he misdemeanor at common law to a felony. It is too late for counsel to move to quash the indictment or any count in it, and if the last count specifies a misdemeanor only, it only gives ground for a demurrer for a misjoinder.

The Court reserved its decision, and adjourned.

### Verdict of Acquittal.

[BY TELEGRAPH.]

ROCHESTER, Wednesday, Jan. 20.

The charge of Judge SMITH to the Jury in the Robertson case occupied an hour and a half in delivery. The case went to the Jury at a little past 11½ o'clock, and about four hours afterwards they returned with a verdict of "Not guilty." Great excitement followed the announcement of the verdict.

MURDEROUS USE OF A SHOT GUN.—TWO MEN SHOT.—HENRY HERRMAN, a German keeping a disreputable house at No. 987 Eighth-avenue, was arrested about 1 yesterday morning, charged with shooting FREDERICK BECKER, of No. 317 Ninth-avenue, and EDWARD LATTEMORE, of No. 237 West Thirty-third-street. The two men attempted to get into HERRMAN'S place, but finding the door locked went away. When some twenty feet from the door HERRMAN shoved up a window, and fired at each of them, with a double-barreled shot gun, both barrels being loaded with buckshot. Thirty shots, more or less, entered LATTEMORE'S back, covering a space of less than six inches square, and fifteen shot entered the back of BECKER'S head and neck. The wounded men were at once conveyed to the Twentieth Ward Station-house, and Dr. KIERSTED called to dress their wounds, which probably will not prove fatal in either case, as the shot did not enter very deeply. When the officers went to arrest HERMANN he had both barrels of his gun reloaded and capped, and threatened to shoot them if they arrested him, but the exhibition of two or three revolvers quieted him. HERMANN has long been known to the police as a desperate and ugly customer. On the 3d of last July he shot several persons, and was shot by an officer before he could be arrested.

### Deaths and Casualties.

DEATH FROM BURNS.—Coroner CONNERY held an inquest yesterday, at No. 480 Madison-street, upon the body of ANNA WALSH, a child three years of age, who died from the effects of burns received the evening previous. The mother had left the deceased and an infant sister in the room together, and on her return found the room filled with smoke and the eldest child fatally burned. How the fire originated could not be ascertained. The cradle in which the youngest child was sleeping, was considerably burned, but the child escaped. A verdict was rendered in accordance with these facts.

DEATH FROM DROWNING.—An inquest was held yesterday, by Coroner GAMBLE, upon the body of an unknown man, about 50 years of age, who was found drowned at the foot of Pier No. 6 East River. The deceased had on two pairs of pantaloons, a drab vest, buttoned to the chin, and a black coat. He was about five feet nine inches in height, and had dark hair and whiskers. The second finger of his right hand had been amputated, and on his left arm, in India ink, were a blacksmith's anvil and hammer, and underneath, "J. H. D., born 1805." There being no marks of violence on the body a verdict was rendered of "Supposed accidental drowning."

SUDDEN DEATH.—A butcher named BENJAMIN ISAACS, having a stand at Washington Market, was taken suddenly ill at his stand yesterday morning, and fell dead to the floor. The deceased resided at No. 157 West Sixteenth-street, and has left a wife and several children. The Coroner will hold an inquest on the body to-day.

FATAL FALL FROM A NEW BUILDING.—STEPHEN B. YOUNG, a machinist, 24 years of age, died yesterday morning at the City Hospital, from the effect of injuries received the day previous by falling from a new building erecting for SNOOK & Co., in Mott, near Spring-street. The deceased, with some others, was engaged in hoisting a heavy iron column, when the rope broke, precipitating him a distance of twenty feet to the pavement. The deceased was unmarried, and lived with his mother at No. 90 Third-avenue. An inquest on the body will be held to-day.

☞ **Singer's Sewing Machines.**—Clergymen of every denomination can now procure one of SINGER'S SEWING-MACHINES for their own use, or for a charitable Society connected with their respective Churches, upon unprecedentedly favorable terms. For full particulars, write for a circular to I. M. SINGER & CO., No. 458 Broadway, New-York.

☞ **Secure your Doors.**—The undersigned are manufacturers of the most approved Powder and Burglar-proof Locks for Banks, Vaults and Store Doors Our celebrated Rotary Lock defies the most ingenious burglar. VALENTINE & BUTLER, Nos. 90 and 92 Maiden-lane, and Nos. 87 and 89 Elizabeth-st.

☞ **Exclusive Attention.**—CANTRELL, the famous manufacturer of the ladies' 12s. gaiters, has entirely given up his store in the Bowery, and will from henceforth devote his whole attention to his new store, No. 813 Broadway, where he always has on hand the best and cheapest of boots, shoes, gaiters, slippers, &c.

☞ **Prof. Alex. C. Barry's Tricopherous** is the BEST AND CHEAPEST ARTICLE For DRESSING, BEAUTIFYING, CLEANING, CURLING, PRESERVING and RESTORING THE HAIR Ladies, try it. For sale by all Druggists and Perfumers.

## MARRIED.

SIMERS—ROYCE.—In this City, on Monday, Oct. 19, by Rev. William R. Gordon, Mr. THEODORE D. SIMERS to Miss JOSEPHINE L. ROYCE, all of this City.

LIMA—SCUDDER.—In this City, on Wednesday, Jan. 20, by Rev. Dr. Phillips, CHARLES DE C. LIMA to JULIE E., daughter of John H. Scudder, Esq., all of this City.

BURNS—SANDY.—In this City, at the New-York Hotel, on Tuesday, Jan. 19, by Rev. P. S. Chauncey, JAMES L. BURNS to JOSEPHINE V. SANDY, both of Brooklyn.

FIRE—SCHUNAKER.—At Jersey City, on Sunday, Jan. 17, by Rev. J. W. Wiley, STEPHEN FIELD, jr., of Harrison, N. Y., and ANNA L. SCHUNAKER, of Jersey City.

LYON—CLARK.—At Plainfield, N. J., on Monday, Jan. 18, at Grace Church, by Rev. Mr. Coe, Mr. GEORGE M. LYON, of Brooklyn, L. I., to Miss ADELINE R. CLARK, of Scotch Plains, N. J.

## DIED.

VARICK.—In this City, on Tuesday, Jan. 19, after a short and severe illness, MARY VARICK, aged 55 years, 8 months and 19 days.

The relatives and friends of the family, and those of her brothers, Albert H., John, Geo. S. and Ephesetus Doughty, are invited to attend her funeral, from the residence of Albert H. Doughty, No. 93 Allen-st., on Thursday, Jan. 21, at 11 o'clock A. M. The remains will be taken to Harlem for interment.

YOUNG.—In this City, on Wedn

### Farmers' Club.

The Farmers' Club met at the American Institute on Tuesday, R. L. Pell, Esq., in the Chair.

Some extracts were read, in the absence of the Secretary, by Dr. Waterbury, from the foreign journals, in reference to the Himalaya hemp, also, on the Rhea fibre, a vegetable production of India. Some remarks on bees and their management were taken from a paper by Mr. Motchkusky. The writer says: "Near Philadelphia it had been noticed that swarms of bees are more easily gathered in mid-day than in the evening. The ancient prejudice that bees cannot prosper in a hive in which light is admitted is condemned by the following fact: In the Crystal Palace of New-York had been seen hives of glass exposed on all sides to the light, except where the wax adheres to the glass. And here was a great advantage, for it could be observed whether any damage was occurring in the hive."

Professor Mapes, Mr. Field, Mr. Pike, Mr. Lawton and Mr. Livingstone conducted a conversation on the harvesting of grass. It was recommended not to harvest too early, but to harvest timothy when the seed formed, but yet not late enough to shell; and clover, when the heads are from one-third to half of them brown. Professor Mapes made some remarks upon the influence of the soil of particular places upon fruit and grain. The apples that furnish the famous Newark cider except in a small part of New-Jersey would not produce a decent cider. Incidentally, he remarked that this business is fast declining. When the best North River cider sells for but a dollar or two a barrel, Newark cider never fetches less than six dollars a barrel. One man buys up all his neighbor's apples and makes some 6,000 barrels a year. He is the only large manufacturer there. Nor can he make it pay well at the price named. The apples are the Harrison and Campfield.

The President said that he had been obliged, after a thorough trial with the same kind of apples, to have his trees grafted with the Newtown Pippin—their cider was so very superior.

Mr. Field remarked that apples cannot profitably be raised within some fifty miles of New-York City.

Prof. Mapes said he had cut down hundreds of apple trees because their shade cost him more than the apples were worth.

Mr. Field said that this was eminently the region for pears—indeed there is no other such country for pears as this same region where the apple-crop is so uniformly a failure. He had never seen any blight upon the pear-tree excepting in Westchester where it was planted in a clay soil. The *Virgalieu* cannot indeed any longer be produced in the Atlantic States. He spoke of the longevity of the pear-tree; the peach-tree scarcely comes to bearing well before it begins to die. The apple lasts long enough as a mossy, scraggy, unproductive tree, but its fruit-bearing life is short; the cherry dies in eight, ten or twelve years, but he could go to a hundred thousand pear trees in one county of Long Island all in good bearing condition which were planted before the Revolution.

The subject of charcoal upon land was next discussed by Professor Mapes. He used charcoal as the divisor of all his manures in place of muck or dirt. He obtained his charcoal from a railroad company, which furnished him half a cord a day of sparks from the locomotive. In the earth the charcoal retains all the volatile parts of the manure. The earth enriched with it does not freeze so early in the Fall. The soil being blacker receives more heat, nor does it bake and cake as badly. He threw this charcoal upon his compost heaps, and so prevented any offensive smell from them. He cast it into his stables, and so rendered them inodorous, and into his hog-pens, with the same effect. The charcoal did not act in the slightest as a manure. It was the attendant chemist in the soil, turning to good account a great deal of valuable food for plants that would otherwise be wasted.

Mr. Solon Robinson said a gentleman was present who had told him a very new and important story about growing wool. He called upon Ex-Senator Geddes, of Onondaga County, to furnish the facts for the edification of the Club.

Mr. Geddes said it was true that he had found it cheaper to raise a hundred pounds of fine wool than an equal amount of coarse. He did not mean the *finest* wool, but the wool of the Vermont Merino, and of this he could raise more than of the South Down or any coarse wool on the same ground. The Vermont Merino has wool to his feet; his body has a larger surface in proportion to his weight than the South Down. Now, in the very thick forest he had noticed that there was seldom large timber; so where the fleece of wool was compact it must naturally be very fine,—the hair will be small. If he were permitted the use of but one of his senses in selecting a sheep he would prefer that of touch. The eye alone could not distinguish a good from a bad one, but the hand could. The wool should be so compact upon the back that you cannot close your hand grasping it, any more than you can upon a board. The fine-wooled sheep has more teeth, better legs, and goes through a drouth better. It isn't as liable to disease. For the same price, and on the same ground, he would rather produce 10,000 lbs. of this fine wool than of a coarser sort. The fine wool does indeed shrink in the hands of the manufacturer,—it has so much animal matter in it,—but he was speaking of raising wool for the market. It produced as many pounds of meat, he thought, as the South Down, but he could not speak experimentally upon that point. The Vermont Merino averages when it goes into the yard in the Fall, 100 lbs., and it weighs more than that in the Spring. The carcass would dress out probably 50 lbs., and the fleece averages 4½ to 5 lbs.

Professor Mapes detailed the method of Mr. Lovering, of Philadelphia, in crystallizing the Sorghum juice into sugar. Mr. Lovering had raised, under circumstances by no means favorable, this year 1,224 lbs. of sugar, and 74 gallons of molasses. This was done by boiling in the open kettle, and by the naked fire. He did not doubt that another year he would raise 1,664 lbs. of sugar and 84 gallons of molasses. Frost did not at all injure the power of crystallization, but thawing out the frozen cane left it less crystallizable, so that there would be less sugar and more molasses. "But," said Professor Mapes, "the more molasses you have, the worse you are off. While our common molasses was selling at 60 cents, it was well enough to think of Sorghum molasses, but the average price of common molasses will not generally be more than 25 cents. That will be the average price of the Sorghum molasses too, and at that price it will not pay to raise it. The most juice was in the Sorghum when the seeds were ripe—a great advantage in this climate." The Professor had received specimens of Mr. Lovering's sugar, the best of which was little inferior to the best loaf sugar. Members repaired on the adjournment of the Club to Professor Mapes' office, and inspected them for themselves.

---

**An Appeal.**—The managers of the Association for improving the Condition of the Poor, impressed no less by the insupportable pressure of the indigence now upon them, than by the irrepressible cries of the needy for relief, would respectfully present a plain statement of facts.

Never before, so early in the season, have the numbers of the destitute been so great, or their necessities more urgent. Twenty thousand persons are now receiving aid of the Association, against about seven thousand in the corresponding period of the last Winter; and, despite of its humane discrimination, the numbers are largely augmenting day by day, and are likely to do so for the next two months, or until the return of Spring employment. Those assisted are mostly of a new class—among whom are many widows with helpless children, many sick and dying—mechanics, laborers, sewing women, etc.—who have hitherto been self supporting, and by failure of work are brought to abject want. They must not only be promptly and regularly relieved, but requiring a larger allowance for their support than is needed by the degraded poor, the ratio of expenditure has been increased far above the average of former seasons.

Facts show that the aggregate outlays have trebled those of any previous year, excepting the "hard Winter" of 1855-'6; and even that memorable Winter has thus far been exceeded about 40 per cent. The apprehensions consequent upon the labor movements, and the unusual cry of prospective want, echoed by the press brought in liberal contributions, especially from the wealthy, in the earlier part of the season. The sudden subsidence of that excitement was succeeded by the boon of a most genial Winter, which, while it may have tended to diminish suffering, has had, nevertheless, a very depressing influence on the receipts of the Association, without lessening the number, or the necessities of the needy.

The contributions have fallen off more than one-half within the past three weeks, while the applications for aid have more than doubled.

Reasoning *a priori*, and from general facts as they now appear, the pressure will be far greater as the inclement season advances than it was in 1855. In that year the appropriations for February were $22,900, though the outlay for the preceding December, as stated, was 40 per cent less than the present Winter. There being now in the treasury but $1,742 to meet the coming demand, without timely and greatly enlarged contributions the bankruptcy of the Association, and the terrible consequences to the poor and to the City, inseparable from such an event in mid Winter, cannot be contemplated without a shudder!

On this brief statement of facts the Board rests its appeal. The 360 visitors are now nearly overwhelmed with their arduous labors; but, unflinching in self-sacrifice, lent, if the means shall be supplied. They are prepared to do and to suffer all that mortal men can; but they cannot make bread out of stones. At such a crisis it is idle to plead hard times and straightened resources. Responsibility cannot thus be evaded. All must give—give liberally though they have given before—give more, *far more than they can spare*. For we are in the midst of no ordinary distress, and no ordinary liberality will afford the needed relief. Yet relief must come—for it cannot be that thousands of our deserving fellow-citizens shall be doomed to die at our doors, of suffering and starvation.

By order of the Board. JAMES BROWN, President.
R. M. Hartley, Secretary.

## AMUSEMENTS.


**LAURA KEENE'S NEW THEATRE,**
No. 624 Broadway.
THURSDAY EVENING, Jan. 21,
First time in this country, of Wilkie Collins' original two-act drama of
THE LIGHT-HOUSE.
Aaron Gurnock, light keeper.....Wheatleigh
Jacob Dale.....Burnett | Samuel Furley.....Peters
The Shipwrecked Lady.....Miss Laura Keene
Phœbe Dale.....Miss Charlotte Thompson
A new Drop Curtain, by Hawthorne, representing Eddystone Lighthouse in a storm.
To conclude with Tom Taylor's new comedy,
AN UNEQUAL MATCH,
With its powerful cast, embracing Messrs. Jordan, Jefferson, Burnett, Peters, Misses Laura Keene, Manners, Wells, &c.
Doors open at 6½; to commence at 7¼ precisely.

**NIBLO'S GARDEN.**
DAN RICE'S GREAT SHOW,
The acknowledged favorite exhibition of the City.
Reappearance of DAN RICE.
Reappearance of EXCELSIOR.
NEW SCENES IN THE ARENA.
New Scenes by New Riders.
First appearance of RICHARD RIVERS, the intrepid horseman.
KING in his Frightful Leaps.
RICE in his Conversations,
Mrs. RICE in her Manège Act,
The MULES in Low Comedy.
EUREKA, the Mustang.
Magellon and Dunbar in their miracles.
The grotesque Spowles with his reversed acts.

**ACADEMY OF MUSIC.**
Hon. EDWARD EVERETT'S ADDRESS
ON
"THE CHARACTER OF WASHINGTON,"
Under the auspices of the Mercantile Library Association, the proceeds to be devoted to the "Mount Vernon Fund."
THURSDAY EVENING, Jan. 21, 1858, doors open at 6½, to commence at 8 o'clock.
Tickets to Family Circle, 75 cents; Amphitheatre, 50 cents.
To be had at WILLIAM HALL & SON'S, No. 239 Broadway, and at the Library, Clinton Hall, Astor-place.
N. B.—NO TICKETS SOLD AT THE DOORS BEFORE 7½ O'CLOCK.
HENRY L. PIERSON, Jr., Ch'n Lecture Com.

**BROADWAY THEATRE.**
E. A. MARSHALL.....Sole Lessee.
Equestrian Director.....J. M. NIXON.
VAN AMBURGH'S
EQUESTRIAN AND ZOOLOGICAL COMPANY.
THURSDAY EVENING, Jan. 21,
Great success of the Grand Fairy Spectacle
CINDERELLA,
With new costumes, fifty Juvenile Artists, and seventy-five Corps de Ballet.
Notice.—CINDERELLA will be performed on Wednesday and Saturday afternoons.

**BOWERY THEATRE.**
Lessee and Proprietor.....Mr. E. Eddy
Boxes and Parquette 25 cents. | Pit.....12 cents.
THURSDAY EVENING, Jan. 21,
The beautiful Drama, in three acts, entitled
CATARACT OF THE GANGES.
Previous to which the grand dramatic romance, in three parts, entitled
ROOKWOOD.
Dick Turpin.....Mr. W. Aymar.

**PURDY'S NATIONAL THEATRE.**
Chatham-street, near Roosevelt.
THURSDAY EVENING, Jan. 21, 1858,
The entertainment commences with a Drama, entitled
LINDA, THE CIGAR GIRL.
To be followed by the Comedy of the
TOODLES.
To conclude with the Drama of
WALLACE.
Doors open at 6½—to commence at 7.

**EMPIRE HALL, NO. 596 BROADWAY,**
WILL SHORTLY CLOSE.
The gigantic moving diorama of
DR. KANE'S ARCTIC VOYAGES,
With a thrilling description of the sufferings endured by him and his daring followers, by
CHARLES GAYLER, Esq.
The popular author and dramatist.
EVERY EVENING at 8 o'clock and WEDNESDAY and SATURDAY AFTERNOONS at 3 o'clock.
Admission 25 cents; children half price.

**BUCKLEY'S SERENADERS.**
No. 444 Broadway.
THIS EVENING, Jan. 21, 1858.
First appearance of R. B. B. the great horse trainer, with his wonderful trick horse, MAZEPPA.
DICK SLITER and J. MULLIGAN.
SHAKESPEAREAN READINGS.
BURLESQUE CIRCUS.
Doors open at 6½ o'clock, to commence at 7½ precisely.
Admission 25 cents.

**CALICO DRESS SOIREE,**
IN AID OF
THE HUNTER WOODIS BENEVOLENT SOCIETY
AND OTHER CHARITIES.
A NOVEL AND ELEGANT ENTERTAINMENT, combining all the most desirable features of a
PROMENADE CONCERT AND GRAND BALL,
to be opened by the delivery of
AN ORIGINAL POEM,
will be given at the ACADEMY OF MUSIC, on the evening of the 4th of February next.
Tickets can be had of members of the Committee of Arrangements, at the principal music stores and hotels, Price's bookstore, Everett House; Rushton's drug stores, No. 10 Astor House and No. 417 Broadway; office of Cyrus Ramsay, M. D., No. 101 2d-av., and at the office of the Executive Committee, No. 333 Broadway, room No. 9.
Price of tickets $2, admitting a lady and gentleman. Extra tickets for ladies $1 each.

MURILLO'S
CELEBRATED PICTURE,
**THE CONCEPTION;**
Formerly the property of the late King of Holland, now belonging to Mr. Wm. H. Aspinwall.
THIS WONDERFUL PICTURE, considered one of the finest works of the great Spanish Master, will be exhibited for a short time only; the proceeds of the exhibition to be devoted to THE HOME FOR CHILDLEN OF SEAMEN and to the Refuge for Friendless Females, known as THE HOUSE OF MERCY.
Now on exhibition at the Galleries of
WILLIAMS, STEVENS, WILLIAMS & CO.,
Admission, 25 cts. No. 353 Broadway.

**BELMONT COLLECTION,**
NOW ON EXHIBITION
For the
BENEFIT OF THE POOR,
At the New Galleries of the National Academy, 16th-st., From 9 A. M. to 5 P. M.: 7 to 10 P. M.
Admittance 25 cents; Season Tickets 50 cents.

**POWERS' GREEK SLAVE, MARTYRDOM OF HUSS,**
Diana and her Nymphs, are a few among the hundred wonderful works of art on exhibition at the Dusseldorf Gallery—day and evening—No. 548 Broadway.

**STRANGERS SHOULD NOT FAIL TO SEE**
The great Dusseldorf Gallery of Paintings, Powers' Greek Slave, the Adoration, the Fairies, are each worth the price of admission. Open day and evening—No. 548 Broadway.

**Mrs. Kemble's Last Readings.**—Dodworth's Saloon, No. 806 Broadway.
Mrs. Frances Anne Kemble will read Shakespeare's play of ROMEO AND JULIET on THURSDAY EVENING, Jan. 21, at the above saloon, beginning at 8 o'clock. Doors open at 7 o'clock.
On FRIDAY EVENING, Jan 22, she will read AS YOU LIKE IT.
Tickets $1 for each reading. May be had at Messrs. Francis', Crowen's and Christern's bookstores; William Hall & Son's music store; also from Mr. C. W. Polman, Janitor of the University Medical College in 14th-st., and at the door.

**Barnum's American Museum.**—Decided success of the entirely new and immeasurably superior dramatization, by H. Watkins, Esq., of THE GREAT LEDGER STORY by Sylvanus Cobb, Esq., entitled the PIONEER PATRIOT; or, THE MAID OF THE WAR-PATH, THIS EVENING, at 7 o'clock Jock, the ape-negro, H. Watkins; Isabel Carlton, the Maid of the War-Path, Mrs. C. Howard. AFTERNOON, at 3 THE QUEEN'S PAGE. A FULL-LENGTH WAX FIGURE OF J. P. DONNELLY. The beautiful AQUARIA, the Happy Family, Living Serpent, &c., to be seen as usual. Admittance, 25 cents; children under ten, 13.

**Fire Department.**—THE TWENTY-NINTH Annual Ball of the New-York Fire Department, in behalf of the widow and orphan fund, will take place at the Academy of Music, corner 14th-st. and Irving-place, on MONDAY EVENING, Jan. 25, 1858. Tickets may be procured of the managers or of the officers.
HENRY A. BURR, President, No. 101 Cliff-st.
PETER H. TITUS, Treasurer, No. 38 Market-st.
JAMES F. WENMAN, Sec'y., No. 140 Pearl-st.

**Gallery of Egyptian Antiquities,** No. 659 Broadway.—Dr. ABBOTT'S wonderful collection has a character above all other exhibitions in America, and is pronounced by travelers to be superior to any museum in the world. Open day and evening. Admission 25 cents.

**Mendelssohn Union**—REHEARSAL NOTICE.—Members and subscribers are hereby notified that the rehearsal THIS EVENING will take place at the HOME CHAPEL, 29th-st., near Madison-av., commencing at 7½ o'clock. HENRY CAMP, President.

**Crystal Palace Open Daily from** 9 A. M. to 5 P. M. Statuary, machinery, steam-engine, &c. Dudgeon's Steam Carriage will be run in the building from 2 to 4 P. M., in which visitors may ride gratis this week.


## DANCING.


**A. Dodworth's Dancing Academies,**
No. 806 Broadway, New-York.
No. 127 Montague-place, Brooklyn.
Classes now open for the reception of pupils.
Weekly assemblies for ladies and gentlemen at both establishment for practice in the Lancers' quadrille, German cotillon, and all other dances.

**Madame Sauvageau's Dancing Academy,** No. 663 Broadway, open every day and evening for lessons and general practice. Her new system of teaching, combining private instruction with immediate practice, by experienced male and female teachers makes good dancers in a short time. "Les Lanciers" taught in the Paris, London and New-York styles.


## DENTISTRY.


**A NEW AND GREAT INVENTION IN ATMOSPHERIC** pressure plates for artificial teeth. Any one can discover its importance at once. The plate covering the roof or palate of the mouth, which so much interferes with comfort and taste is dispensed with, and the strength and power of adhesion increased. Call and examine. M. LEVETT, Dentist, No. 12 Waverley-place, near Broadway.

**DR. PERRY, DENTIST, NO 31 BOND-ST.,** (rooms formerly occupied by Dr. Burdell,) will execute every branch of the profession according to the latest improvements in dental science. The public are invited to call.


## NEW PUBLICATIONS.


**THE YOUNG BRIDE.**
She stood in her boudoir so fine,
An image of beauty and grace;
The shape of her form was divine,
Angelic the looks of her face.
The bridesmaids could scarce but admire
This perfection of beauty and art,
And they asked her, "Dear lady, Sophia,
How won you the man of your heart?"
She answered—this beautiful bride—
"These gems on my brow that you see,
Selected by me with great pride,
And a gift from my husband to me—
Ranney's books that you see scattered here,
So delightful, so witty, refined,
Made my husband declare me his dear,
And call me a lady of mind."
The bride in her morning of bloom,
The grave, the lively, and gay,
Full of happiness, joy, or of gloom,
To Ranney's now hasten away,
The gloom is dispelled when they see
Books of present, of future, and past,
And they cry, with a shout of great glee,
"We have found the great storehouse at last."
At the American Gift and Book House, No. 383 Broadway, a handsome ornament or some useful article is given away with every volume sold at the time of delivery. Catalogues furnished whenever required, in town or country.
A. RANNEY, Agent.

PUBLISHED THIS DAY:
I.
BAYARD TAYLOR'S NEW BOOK.
**NORTHERN TRAVEL;**
Summer and Winter pictures of Sweden, Lapland and Norway.
By Bayard Taylor.
12mo. $1 25.
II.
**ART MANUFACTURES ILLUSTRATED:**
The application of Art to Manufactures.
By Geo. C. Mason.
With more than one hundred fine illustrations. 12mo. $2.
*** This is a new book of permanent practical value.
G. P. PUTNAM, No. 321 Broadway.


## PUBLIC LECTURES.


**Mercantile Library Association**—The Board of Direction refer with pleasure to the subjoined correspondence, and are authorized to announce that Hon. Edward Everett will repeat, under their auspices, his address upon *The Character of Washington* at the Academy of Music, on THURSDAY EVENING, the 21st inst., for the benefit of the Mount Vernon Fund. By order of the Board.
HENRY L. PIERSON, Jr., Cor. Secretary.

Hon. Edward Everett,
Dear Sir: As we have long been aware of the high purpose which animates your heart, of making the "Home of Washington" the property and care of that great Commonwealth for which he so truly lived and served, we would on our own behalf, and on that of our fellow-citizens, beg leave to express sympathy and coöperation with you in that great undertaking, and do therefore respectfully request that, if consistent with your other engagements, you would consent to repeat in our midst, the address upon "The Character of Washington," the sentiments of which we recall with such grateful remembrance.

(SIGNED)

| | | |
|---|---|---|
| George Bancroft, | Sch'ler Livingston, | John A. Dix, |
| Wilson G. Hunt, | William Adams, | F. B. Cutting, |
| Wm. E. Dodge, | John Ward, | Elwood Walter, |
| Horace Webster, | Henry L. Pierson, | Wm. M. Evarts, |
| Winfield Scott, | Abram M. Cozzens, | Charles O'Conor, |
| Valentine Mott, | James M. Brown, | E. W. Dunham, |
| Moses H. Grinnell, | Francis L. Hawks, | Auguste Belmont, |
| James Winslow, | Joseph Lawrence, | John A. Appleton, |
| Peter Cooper, | William Hoge, | Isaac H. Bafley, |
| Shepherd Knapp, | Caleb O. Halsted, | J. C. B. Davis, |
| Geo. S. Robbins, | Henry A. Oakley, | Augustus Schell, |
| Stewart Brown, | C. H. Dabney, | Chas. W. Leupp, |
| William Wood, | Henry Oothout, | R. M. Bonney, |
| Robt. B. Minturn, | Anson G. Phelps, | Wm. P. Wright, |
| Edmund Coffin, | John A. Stevens, | A. E. Silliman, |
| H. W. Bellows, | W. Butler Duncan, | John J. Palmer, |
| Chas. E. Milnor, | Dan'l T. Willetts, | Wm. F. Havemeyer, |
| John H. Gourlie, | Joseph Stuart, | J. Punnett, |
| Ab'm S. Hewitt, | John J. Crane, | David Thompson, |
| Thos. Tileston, | Jas. T. Soutter, | John J. Cisco. |
| B. F. Dawson, | Simeon Baldwin, | Thomas H. Faile. |

Boston, Dec. 22, 1857.
Gentlemen: In compliance with the wish expressed in your communication this day received by me, I shall have much pleasure in repeating my Address on the "Character of Washington," in aid of the fund for the purchase of Mount Vernon.
Gratefully acknowledging the obliging terms in which your invitation is conveyed,
I remain, Gentlemen
Most respectfully yours,
EDWARD EVERETT.
Hon. George Bancroft, and the other gentlemen whose names are subscribed to the invitation.

**New-York Historical Society.**—Rev. Wm. Adams, D. D., will deliver the Third Lecture of the series at the Lecture-room, in the Library, 2d-av., corner of 11th-st., on MONDAY EVENING, Jan. 25, at 7½ o'clock. Subject—*The Ideal of a Merchant.* Tickets 50 cents, may be obtained of E. J. BROWN & CO., No. 145 Broadway; T. J. CROWEN, No. 699 Broadway, and at the Library. The number of tickets to be sold is limited to 800.
EDWIN J. BROWN, Chairman of Lecture Committee.


## PUBLIC MEETINGS.

**Old John-street M. E. Church.**—A meeting of the corporators of this Church will be held THIS (Thursday) EVENING, 21st inst., at 7½ o'clock. A punctual attendance is requested.
RICHARD KEEPING, } Committee.
BARTON WOOD, }

## PERSONAL.

**THE PERSON WHO WROTE ABOUT** JOHN TAYLOR, and his wife and family is requested to send more information, that the ends of justice may be promoted in the case of his son, George Tracey Taylor.

## MATRIMONIAL.


**Matrimonial.**—A GENTLEMAN, TWENTY-six years of age, wishes to correspond with a lady not over twenty with a view to matrimony; she must be of medium stature or under, and of general good appearance, and although money is not an object, yet she must be respectably connected, and of irreproachable character; the gentleman has enough for both. No notice taken of any letter that does not bear the impress of honest sincerity. Address WILLIAM WIRT, *Times* Office, for two days.


## LOST AND FOUND.


**Lost or Stolen**—FROM BANK-BOOK IN hands of a clerk, on the way from No. 89 Beekman-st. to the Fulton Bank, Benedict & Co.'s check on Union Bank, for $426 40; Smith & Allison's check on Newark Bank, $200; a draft dated at Detroit, on Park Bank, $50; and one $50 and five $20 bills of the Farmers' and Citizens' Bank of Williamsburg, L. I. A suitable reward will be paid for the recovery of the money. The payment of the checks having been stopped, the public are cautioned against receiving them.
RUSSELL & ERWIN, Manufacturing Company,
No. 89 Beekman-st.

**$500 REWARD.**—STOLEN FROM STORE NO. 3 College-place, on the night of Jan. 14, about eight hundred pounds black sewing silk, and about fifty pounds colored silk, manufactured by J. P. Beaux & Co. The above reward will be paid for the recovery of the silk, or $250 for the detection and conviction of the thieves. J. C. MOWE & CO.

**Lost**—TUESDAY, JAN. 19, A GOLD STUD, INlaid with hair. The finder will be liberally rewarded by leaving it with JAMES CALDWELL, Clerk, New-York City Post-Office.


## REMOVALS.


**THE COLUMBIA FIRE INSURANCE CO.**
Have removed from
No. 59 Barclay-st.
TO NO. 10 WALL-STREET,
THIS COMPANY, having a Capital of
$200,000,
and a large SURPLUS securely invested, continues to receive applications and to issue POLICIES of INSURANCE against LOSS OR DAMAGE BY FIRE, on the most liberal terms.
The old office will be kept open for the accommodation of customers. JOHN C. BERGH, Secretary.


## STATIONERY.


**Commission Paper Warehouse.**—A. C. GODMAN & Co., No. 32 Beekman-st., invite the attention of Book and Newspaper Publishers, Printers, and all other buyers, to their facilities for supplying paper of any quality, size and weight, at the very lowest prices.
Envelopes.—They are the sole agents in this City for White & Corbin's machine-made Envelopes, said to be the best manufactured.
Writing Pads.—Manilla, Straw and other wrapping papers constantly on hand.
Manufacturers supplied with Bleaching powders, Wires, Felts, Oil Vitriol, Ultramarine, Soda Ash, &c., &c.
Cash paid for rags and paper shavings.

**Blank Books and Stationery for** 1858.—Firms requiring BLANK BOOKS with which to commence the year, can be furnished with sets or parts of sets, in stock or made to order, ruled to any pattern, at the shortest notice and at reasonable rates, by
SLOTE & JANES, No. 93 Fulton st.


## PROPOSALS.


**Sealed Proposals will be received** by the undersigned, School Officers of the Eighth Ward, at the office of the Clerk of the Board of Education, corner of Grand and Elm sts., until TUESDAY, Feb. 2, at 12 o'clock noon, for altering and repairing Ward School No. 38, in said Ward, according to plans and specifications to be seen at the office of A. MACVEY, Superintendent of School Buildings, No. 94 Crosby-st.
The officers of the Ward reserve the right to reject any or all of the proposals, if deemed for the public interests to do so.
ELIPALET BOOTMAN, } School Officers
S. T. MONTGOMERY, } of the
MATHIAS CLARK, } Eighth Ward.

**Astor House.**—THE PATRONS OF THE ASTOR House are respectfully requested to give notice of their intended visits during the approaching business season. C. A. STETSON.

**For Sale**—TWO GOOD SECOND-HAND BILliard tables complete, will be sold cheap for cash. Can be seen at No. 92 Ann-st., corner of Gold-st. WM. H. GRIFFITH.

**$4 50 DOUBLE-SOLE WATER-PROOF** SEWED BOOTS, now ready at JONES', No. 10 Ann-st. Also, $3 50 DOUBLE-SOLE PEGGED BOOTS,


## SITUATIONS WANTED.

**Wanted**—A SITUATION FOR TWO MOST EXcellent girls, as cook and chambermaid, together or separate. Are competent, trustworthy and reliable servants, who know how to fill and appreciate good situations; have served three and four years in first families, from whom they can produce the best of testimonials as to competency, sobriety and honesty. Ladies in want of a servant of undoubted ability, apply to No. 3 Myrtle-av., Brooklyn.

**Wanted**—BY A HIGHLY RECOMMENDED American young woman of respectable parentage, a situation as chambermaid and seamstress or seamstress and housework; can cut and fit children's clothing neatly; is perfectly neat, obliging and respectful; will be found efficient in her duties and an invaluable servant. Ladies in want of prudent, trustworthy, first-class housemaids, apply at No. 3 Myrtle-av., Brooklyn, near City Hall, for two days.

**Wanted**—A SITUATION BY TWO VERY COMpetent persons, one as nurse and plain sewer, would do chamberwork, and mind children; has many years' experience in the care of children. The other is an excellent seamstress, can cut and fit ladies' and children's dresses, do all kinds of embroidery; no objections to assist in light chamberwork or waiting, or would go out by the day or week. Has the best of City reference. Call at No. 14 Clarkson-st., between Hudson and Varick.

**Wanted**—A HOUSEKEEPER'S SITUATION BY a Protestant woman fully competent to take the charge in any gentlemen's family; would be a very suitable person to take charge in a widower's family, or a party of gentlemen wishing the comforts of a home, residence no objections, where a good home would be found. Can be seen at No. 107 Madison-av. Reference from her employer.

**Wanted**—A SITUATION, BY A MOST RESPECTable woman, whose references, which are from the first families, will substantiate her to be a faithful, obliging servant, pleasant and agreeable, an excellent thorough cook, and a superior laundress. Is always ready to comply with her employer's wishes, and not fond of going out much. Apply at No. 10 Tillary st., Brooklyn.

**Wanted**—BY TWO WILLING, COMPETENT and highly recommended girls, situations, one is an excellent meat and pastry cook and baker, and is a first-rate laundress; the other is a good chambermaid or waiter, would assist to wash and iron; both have the best of City reference; will be found anxious to please, and willing to work for moderate wages. Call at No. 129 Waverley-place.

**Wanted**—A SITUATION BY A PROTESTANT girl, for general housework; can do good plain cooking, washing and ironing; is a good baker; is humble, neat and obliging, particularly prepossessing in her manners, and willing to do all she can to please. Any lady requiring a trustworthy, faithful and conscientious person, at moderate wages, will find such by applying at No. 203 7th-av., near 24th-st.

**Wanted**—BY AN EXPERIENCED ENGLISH woman, a situation as infant's nurse; would take the entire charge of an infant; has experience in sickness; would not object to the charge of an invalid: is a good seamstress; has good City references. Can be seen for two days at No. 331 6th-av., near 21st-st., Wednesday and Thursday.

**Wanted.**—A YOUNG MARRIED MAN (FRENCH) who has been living for many years with the best family in this City as waiter, wishes to obtain a situation in the above capacity. Can show best testimonials as to good character, capabilities, honesty and sobriety. Call or address F. S., for two days, corner 4th-av. and 9th-st., above the druggist.

**Wanted**—BY A COMPETENT SEAMSTRESS, A situation in a private family as ladies' maid and seamstress. Can cut and fit ladies' and children's dresses, and do all kinds of family sewing. Can give good references. Apply at No. 168 West 19th-st., between 7th and 8th avs., for two days.

**Wanted**—A SITUATION AS COACHMAN IN A private family by a steady, active man, who understands his business perfectly well. Can be highly recommended from his last employer. Can be seen for two days. Address C. M., No. 886 Broadway, between 18th and 19th sts.

**Wanted**—A SITUATION, IN THE CITY OR country, as a good cook, and to wash and iron, by a very competent woman, with good City reference; understands meats, poultry, and game, soups, pastry and bread; lived 7 years in her last place. Call at No. 366 6th av.

**Wanted**—A LAD OF MOST INDUSTRIOUS turns; would be faithful to his employer. Speaks several languages; between 16 and 17, would like to have a situation either in a store or doctor's office. Call between the hours of 1 and 2 o'clock, at No. 434 3d-av., top floor.

**Wanted**—A SITUATION AS WAITER IN A PRIvate family, by a respectable, steady, sober man, who understands his business in all its parts well, and has the best of references. Any family wanting a first-rate waiter can apply at No. 718 Broadway, at the apothecary's store.

**Wanted**—A SITUATION AS A GOOD COOK and to wash and iron, by a very competent woman, with good City reference; cooks meats, poultry and game, soups, pastry, &c.; her daughter, a tidy girl of 15, would see to children, do waiting, &c. Call at No. 73 6th-av., in the store.

**Wanted**—A SITUATION BY A RESPECTABLE young woman as chambermaid or waitress in a private family. Good city reference given. Call for two days at No. 85 East 16th-st., in the fancy store, between 3d and 4th avs.

**Wanted**—BY A NEAT, TIDY GIRL, WITH EXcellent City reference, a situation as general servant; washes and irons well; makes excellent bread; is competent to do the work of a genteel family. City or Brooklyn; wages $6. Call at No. 216 East 23d-st.

**Wanted**—A SITUATION BY A YOUNG WOMAN, as seamstress in a private family; is a competent dressmaker, and understands all kinds of family sewing. Can be seen at No. 1 12th-st., corner of Greenwich-av., over the Bakery.

**Wanted**—A SITUATION AS WAITER BY AN active and capable man, who has got the best of City references. Any commands for H. C. Warton will meet with due attention by calling at Mr. BAILEY'S drug store, No. 9 Bible House, 4th-av.

**Wanted**—A SITUATION AS A GOOD COOK, and to wash and iron, by a very competent woman, with good City reference; understands meats, poultry, and game, soups, pastry and bread; to be seen till suited, at No. 180 6th-av., north of 12th-st., first floor.

**Wanted**—A SITUATION AS HEAD COOK IN A hotel or large boarding house in the city or country, by a very competent young woman who knows her business thoroughly, and who comes well recommended. Call at No. 72 6th-av., in the store.

**Wanted**—BY A RESPECTABLE YOUNG WOman, a situation as nurse and seamstress; can do all kinds of fine sewing; has no objection to do light chamber work. Good City reference. Can be seen at No. 73 West 19th-st., second floor.

**Wanted**—A SITUATION BY AN AGED SCOTCH lady, to do general housework in a small family in this City—wishes to make herself generally useful. Apply No. 229 West 25th-st., in back basement; can be seen for 2 or 3 days.

**Wanted**—A SITUATION, AS NURSE AND seamstress, by a respectable young Protestant woman; understands hair dressing well; has good City reference. Apply at No. 40 East 26th-st., between 4th and Madison avs., for two days.

**Wanted**—A SITUATION AS A GOOD WOMAN as nurse and seamstress, understands all kinds of embroidery, or chambermaid; is a short time in this country. Apply, for two days, at No. 203 East 9th-st., near 2d-av.

**Wanted**—BY A SMART AND OBLIGING GERman Protestant girl, a situation; is a good cook and baker, and an excellent washer and ironer; would have no objection to the country. Has the best of reference. Call at No. 275 Bowery.

**Housekeeper.**—AN INTELLIGENT AMERIcan widow lady wishes to secure a situation as housekeeper in a hotel, or private family. Undoubted references as to character and capability will be given. Call or address Mrs. L. W., No. 565 Broadway, room No. 39.

**Wanted.**—PROTESTANT FRENCH GIRLS, TWO sisters, lately arrived from France, want situations; the one could do chamberwork and sewing, and the other, 14 years old, mind the children, or do light housework. Apply at No. 237 Smith-st., up stairs, South Brooklyn.

**Wanted**—A SITUATION BY A YOUNG MAN, who has been engaged as traveler in the iron and hardware business; wishes for a similar situation, or as assistant book-keeper, and make himself generally useful. Address, *Times* office, X. L.

**Wanted**—A SITUATION BY A RESPECTABLE girl as nurse and seamstress; is capable of taking care of a young infant, or doing chamberwork. Apply to No. 24 West 17th-st.

**Wanted**—A SITUATION, BY A RESPECTABLE Scotch woman, is a first-rate cook, has good City reference; can be seen for two days at No. 91 Greenwich-av., near 12th st.

**Wanted**—A SITUATION BY A YOUNG AMERIcan girl, as chambermaid and to do general housework in a small private family. Has the best of City reference. Apply at No. 24 Ludlow-st., room 12, for two days.

**Wanted**—A SITUATION AS WAITER BY A REspectable young man who perfectly understands his business. Has good City reference. Can be seen for two days at No. 7 West 16th-st.

**Wanted**—A SITUATION AS WAITER, BY A respectable man who understands his business thoroughly. Best of City reference. Can be seen for two days at No. 639 Broadway. Inquire for or address L. G.

**Wanted**—A SITUATION BY A RESPECTABLE Protestant young woman as chambermaid and seamstress; unexceptionable City references given. Apply at No. 107 East 13th-st., near 3d-av., for two days.

**Wanted**—BY A RESPECTABLE GIRL, A SITUAtion as laundress; she thoroughly understands her business in fluting and mangling. Has the best of City reference. Can be seen for two days at No. 89 6th-av.

**Wanted**—BY A RESPECTABLE PROTESTANT girl, a situation as chambermaid and to assist in the washing or waiting; the best of City reference. Inquire at No. 65 West 20th-st.

**Wanted**—A SITUATION, BY A YOUNG MAN, as coachman or waiter; he understand his business in either capacity. Address L. B., Park & Tilford, corner of 9th-st. and 6th-av., or No. 4 Horatio-st., for two days.

**

## AUCTION SALES.

**SCRANTON COAL**
AT AUCTION.
POSITIVE SALE.
THURSDAY, Jan. 21
L. M. HOFFMAN & CO.
Will sell
At their salesroom,
No. 111 Pearl-st., Hanover sq.,
At 12½ o'clock,
20,000 tons superior Scranton Coal,
Consisting of
Lump, Steamboat, Large Egg, Small Egg, Chestnut, Stove and Screenings.

Deliverable on board vessels at the depôt of the Delaware, Lackawanna and Western Railroad Company, at Elizabethport, N. J., and to be taken prior to the 20th day of February prox.

Terms cash. Conditions—Fifty cents per ton, paid the auctioneers, at the time of sale, residue on the delivery of their order for the coal.

The coal will be carefully weighed by a competent weigher.

Purchasers will see they get correct weight, as no deduction will be made after the delivery. Put up in lots of 50 tons, privilege 1,000 tons.

The coal will be delivered in the City, Brooklyn, Williamsburg and Jersey City, at 40 cents per ton freight.

---

ALBERT H. NICOLAY, Auctioneer, Office No. 4 Broad-st.

**REGULAR DAILY SALE OF STOCKS AND BONDS.**—ALBERT H. NICOLAY will sell, THIS DAY, (Thursday,) at 12½ o'clock, at the Merchants' Exchange:

$79,000 Mineral Point Railroad 1st mortgage 8 per cent. Bonds (hyp.)
$10,000 Mineral Point Railroad 2d mortgage 8 per cent Bonds (hyp.)
$1,000 Fremont and Indiana Railroad 1st mortgage 7 per cent. Bond.
$25,000 Great Western (Ill.) Railroad 1st mortgage 10 per cent. Bonds.
$3,000 New-York State 8 per cent stock of 1874.
$9,000 Missouri State 6 per cent. Bonds.
$13,000 Indianapolis and Cincinnati Railroad 10 per cent. Bonds.
$20,000 Chicago and Mississippi Railroad 2d mortgage 7 per cent. Bonds.
$13,000 Terre Haute and Alton R. R. 10 per cent. Bonds.
$3,000 Sacramento City 10 per cent. funded Loan Bonds.
$1,000 North Carolina 6 per cent Bonds of 1884.
$4,000 Chicago, St. Paul and Fond du Lac Railroad 1st mortgage Bonds.
$2,000 Chicago, St. Paul and Fond du Lac Railroad Land Grant Bonds.
$5,000 Milwaukee City 7 per cent. Bonds of 1877.
$530 Sun Mutual Insurance Scrip of 1853.
$670 Commercial Mutual Insurance Scrip of 1857.
7 shares American Express Co.....$100 each
15 shares Second-avenue Railroad Co.....$100 each
200 shares Fox & Wisconsin Improvement Co. $100 each
2 shares Academy of Music.....$1,000 each
700 shares Williamsburg City Bank.....$50 each
20 shares Continental Bank.....$100 each
25 shares Artizans' Bank.....$100 each
20 shares Ocean Bank.....$50 each
60 shares Pacific Fire Ins. Co.....$25 each
25 shares Niagara Fire Ins. Co.....$50 each
140 shares Stuyvesant Fire Ins. Co.....$25 each
20 shares Lamar Fire Ins. Co.....$100 each
30 shares Excelsior Fire Ins. Co.....$50 each
20 shares Metropolitan Fire Ins. Co.....$100 each
15 shares Eagle Fire Ins. Co.....$40 each
50 shares Howard Fire Ins. Co.....$50 each
50 shares Home Fire Ins. Co.....$100 each
20 shares New York Equitable Ins. Co.....$35 each
60 shares National Fire Ins. Co.....$37 50 each
140 shares Lorillard Fire Insurance Co.....$25 each

Next Regular Sale TO-MORROW, (Friday.) Regular auction sales of Stocks, Bonds, Notes and other Securities every day at 12½ o'clock, at the Merchants' Exchange. Stocks and Bonds bought and sold at private sale, and at the Brokers' Board. Interest allowed on Deposits. Loans negotiated and dividends collected. A large variety of Securities constantly on hand at private sale.

---

E. B FRANKLIN, Auctioneer.

**CONTINUATION SALE OF FURS, SKINS, &c.**, being the balance of the stock of a bankrupt concern, removed from Broadway for convenience of sale, JOHN L. VANDEWATER & CO. will sell on FRIDAY, Jan. 22, at 11 o'clock, at their store, No. 66 Nassau-st., a complete assortment of the above, all manufactured expressly for Broadway sales, and being the finest lot of furs offered this season, comprising Hudson Bay sables, mink, otter, lynx, squirrel, ermine, beaver, mountain marten, fitch and seal cardinals, capes, circulars victorines, tippets, cuffs, muffs, gloves, mantillas, gents' furs, caps, muffers, gauntlets, chest-preservers, &c., &c. Also, buffalo wolf, bear and other robes. Sale positive, by order of Assignee, M. A. DEWITT, Esq.

---

HENRY H. LEEDS, Auctioneer—Salesroom No. 23 Nassau st.

**HENRY H. LEEDS & CO. WILL SELL** at auction on THURSDAY, Jan. 21, at 11 o'clock, at the salesroom No. 23 Nassau-st.:

FINE OLD WINES, BRANDIES, CIGARS, &c.—Part of the stock of an importer; every article warranted to agree with the catalogue and sample, consisting of very superior old Madeira, of various vintages, from 1830 to 1856; sherries of a high character, of various vintages; old London Dock port, Sandeman's, etc.; very fine Malmsey, Scotch and Irish whisky, gin and Jamaica rum, Hennessy, Otard, Sazarac, Cognac, Seignette and other brandies of various vintages; also, about 60,000 genuine imported Havana cigars.

---

JOSEPH HEGEMAN, Auctioneer.

**FRIDAY, JAN. 22, AT 10½ O'CLOCK A. M.** at the central salesrooms, corner of Willoughby and Pearl sts., Brooklyn. Regular weekly sale of household furniture, &c., mahogany secretary and bookcase, walnut library case, painted office bookcase, walnut extension table, sideboard, 2 sets rosewood furniture in brocatel, 1 do. mahogany in blue and gold satin, enameled marble-top chamber furniture, mahogany and walnut bedsteads, bureaus, feather beds, sofas, chairs, tables, gas chandeliers with globes and other fixtures, mahogany piano, 2 heaters and stoves; also, an oyster stand, counter and fixtures. At 3 o'clock P. M., a lot of fancy work boxes, jewelry, 3 cases stuffed birds, and various other articles.

---

F. NASH, Auctioneer.

**WE DIRECT THE SPECIAL ATTENTION** of buyers in want of splendid household furniture, works of art, &c., to the large and extensive variety to be found in the elegant five-story residence No. 51 West 16th-st., to be sold at auction on THURSDAY, Jan. 21, at 10½ o'clock. This sale will afford housekeepers an excellent opportunity to obtain the most costly description of elegant solid rosewood and mahogany furniture, at prices corresponding with the times. We advise all those in want to take advantage of the present opportunity and purchase their supply. For full particulars of this great sale, see *Herald*.

---

JOHN E. VAN ANTWERP, Auctioneer.

**AUCTION NOTICE.**—ASSIGNEES' SALE.—STOCK OF AMERICAN HARDWARE.—JOHN E. VAN ANTWERP will sell, on THURSDAY, 21st, at 10 o'clock, at No. 216 Pearl-st., (by order of the assignees,) the entire balance of a stock of American hardware, cutlery and heavy goods. For particulars, see *Courier and Enquirer*. Also, to pay advances, 1 case round cast steel, 1 Holmes & Buffum safe, large size; 4 cases guns and pistols, 1,500 dozen grain scythes, 1,500 pounds rolled plate hinges, 10 casks planters' hoes. Catalogues now ready. Terms cash; city funds.

---

E. H. LUDLOW, Auctioneer.

**PUBLIC NOTICE IS HEREBY GIVEN** that on Jan. 26, 1858, will be sold at auction, at the Merchants' Exchange, in the City of New-York, at 12 o'clock M., by E. H. LUDLOW, Auctioneer, all those five certain lots with the unfinished houses thereon, situated on the northerly side of 30th-st., between 2d and 3d avs., each lot being 20 feet by 100 the block. The owner of the property is the sale under the foreclosure of the builder's contract, so as to convey all absolute and indisputable title to the whole of the premises. For further particulars, apply to T. JAMES GLOVER, No. 133 Nassau-st., New York.

---

D. S. HOUGH, Auctioneer—Office No. 220 Broadway.

**DANIEL S. HOUGH** WILL SELL AT AUCTION, TO-MORROW, (Friday,) Jan. 22, at 10½ A. M., from the private residence No. 248 West 23d-st., near 8th-av., all the splendid furniture contained in the house. A newspaper description is impossible. To be appreciated, must be seen. The catalogue now ready contains over 400 lots of superior first-class furniture and a large quantity of elegant decorations, works of art, &c. Sale positive, and no postponement on any account. For full particulars see Friday morning's papers.

---

H. T. LEEDS, Auctioneer.

**WILL SELL, THIS DAY, JAN. 21, AT NO. 116** West 15th-st., near 7th-av., the entire splendid parlor, chamber, dining-room and kitchen furniture, &c., of a family leaving the City, mahogany sofas, sofa bedsteads, rocking and other chairs, centre tables, pier glasses, paintings, three-ply, tapestry and other carpets, oil-cloths, piano-forte, china, glass and plated ware, mahogany bedsteads, spring, hair and other mattresses, feather beds and bedding, blankets, spreads.

---

C. TUTTLE, Auctioneer, office No. 9 Broad-st.

**ASSIGNEE'S SALE OF LATHES,** DRILLS, MACHINERY, &c.—A. C. TUTTLE will sell on THURSDAY, the 28th inst., at 10 o'clock A. M., on the premises No. 242 Canal-st., up stairs, all the machinery, tools, drills, lathes, shafting, and other property, being the effects of a machinist unfortunate in business, the whole to be sold for cash under the direction of L. S. RIDGWAY, Assignee.

---

SIMEON DRAPER, Auctioneer.

**BY SIMEON DRAPER, OFFICE NO. 46** Pine-st., cor. of William—Regular Auction Sales at the Merchants' Exchange EVERY DAY. Stocks and Bonds bought and sold at Private Sale. Sale THIS DAY at 12½ o'clock. See Catalogue.

## BUSINESS CHANCES.

**LUMBER YARD FOR SALE**—OR LEASE with an unexpired term of 13 years, of 8 or 11 lots, situated near the North River, with good buildings, fences, sheds, racks, &c. As the location combines many facilities and advantages, with present good patronage, the opportunity is a favorable one for any person wishing to engage in the lumber or other business. For particulars, apply to or address LEROY CLARK, foot West 30th-st., New-York.

---

**NEW HOTEL FOR A GOOD TENANT.**—The subscriber has a fine corner down town, east of Broadway, on which he wants to erect a hotel or lodging house of about 170 rooms, on the European plan, or any other most desirable, and wants to find an occupant before he proceeds to build. Address, with name and references, box No. 217 Jersey City Post-Office.

---

**A RARE CHANCE FOR BUSINESS MEN.**—One of the finest stores in Canal-street will be leased on a long term to any responsible party who may be prepared to purchase a stock of dry goods in first-rate condition, at a real bargain, and on favorable terms. Address JAMES A. SPENCER, Broadway Post-Office.

---

**FOR SALE.**—A PRIVATE DAY SCHOOL IN THIS City for boys of the most respectable class, which is and has been for many years full, is for sale at a moderate price, the principal wishing to retire from the profession. Address C. R., Box No. 2,250 general Post-Office.

---

**TO GROCERS.**—A FAMILY GROCERY, WITH good stock, the best store and best stand below 20th-st., in 2d av., for sale, as the owners wish to engage in other business. Apply at once to FRANCIS MORGAN, No. 11 Pine-st.

---

**STEAM ENGINES AND BOILERS FROM** one to a hundred horse power, for sale or exchange. Cash paid for engines, boilers, shafting, &c., at No. 36 Gansevoort-st., between Greenwich and Washington.
JAMES WYLIE.

---

**SUPERIOR LARD AND TALLOW OILS,** very fine, for machinery and burning. Barrels 30 to 40 gallons. J. W. QUIGLY & CO., No. 38 William-st.

## FINANCIAL.

**REAL ESTATE AGENCY,**
NO. 112 FRANKLIN-ST., NEW-YORK.

The undersigned respectfully informs his friends and the public at large that he is now prepared to take charge of all kinds of property, PURCHASING, SELLING AND LEASING REAL ESTATE, Renting and Letting Stores, Dwellings, Collecting Rents, Bills, &c. Particular attention given in keeping stores and dwellings in proper repair. All business thankfully received and attended to with dispatch.
JAMES L. WAUGH.

---

**BONDS OF THE CITY OF ST. LOUIS.**—The undersigned Commissioner of the Sinking Fund of the city of St. Louis, invites proposals from holders of bonds of the city of St. Louis, for the redemption of such bonds. Proposals to be for any number of bonds not exceeding $75,000. On account of the sinking fund I have at all times money with which I am prepared to purchase St. Louis bonds. Where bids are accepted the bonds will be received and paid for at the Bank of Commerce, New-York. Address by mail, F. A. DICK, Fund Commissioner of the City of St. Louis.

---

**REMOVAL NOTICE**—GEORGE B. SATTERLEE has removed to the office No. 49 Exchange-place, where his Banking and Stock-Commission Business will be continued with increased facilities.

Stocks, Bonds, &c., bought and sold at the Brokers' Board and at private sale.

A desirable list of all the Insurance Company Stocks which the market affords constantly on hand and for sale at the current rates.

---

**$15.000** ON BOND AND MORTGAGE wanted on a large estate worth four times that amount, at ten per cent per annum, (the legal rate in the State where the property is located.) Interest to be paid semi-annually in this City. For full particulars of the property, bondsmen, &c., apply to E. WHITEHOUSE, SON & MORISON, No. 54 William st.

---

**$6.000**—BOND AND MORTGAGE FOR sale on ten vacant lots in one block, in the best part of Brooklyn, by a gentleman leaving for Europe by next Wednesday's steamer. City cars pass within 50 yards. Bond matures in four months, and will be sold to pay a high rate of interest. Apply to Mr. HENRY BRACE, lawyer, No. 29 William-st.

---

**DECOPPET & CO., NO. 19 WILLIAM-ST.**, offer for sale $25,000 New-York Central Railroad 7 per cent Bonds, due in 1864, interest payable June 15, and Dec. 15. They are in bonds of $5,000 each, and are transferable by assignment.

---

**NOTICE.**—THE TRANSFER BOOKS OF THE Cleveland and Toledo Railroad will be closed on THURSDAY, the 21st inst., and opened on THURSDAY, Jan. 28, at the Corn Exchange Bank.
J. B. WARING, President.
NEW-YORK, Jan. 19, 1858.

---

**CITY OF ST. LOUIS MUNICIPAL BONDS.**—100 Bonds of $1,000 each, bearing 6 per cent. interest, payable in New-York, for sale by
E. D. MORGAN & CO., Nos. 68 and 70 Front-st.

---

**BUSINESS PAPER AND LOANS ON APPROVED** Securities negotiated by
JOHN B. MURRAY, No. 44 Wall-st.
Renewed and suspended paper purchased.

---

**MEIGS AND GREENLEAF HAVE REMOVED** to No. 50 Exchange-place.

## DIVIDENDS.

**DIVIDEND.**—THE DIRECTORS OF THE COLUMbia Fire Insurance Company have this day declared a semi-annual dividend of five per cent. on the capital stock, payable at their
NEW OFFICE, No. 10 WALL-ST.,
on and after the 12th inst. The transfer books will be closed until that date.
JOHN C. BERGH, Sec'ry.
NEW-YORK, Jan. 6, 1858

---

OFFICE OF REPUBLIC FIRE INSURANCE COMPANY, No. 16 Wall-st., Jan. 14, 1858.

**DIVIDEND.**—THIS COMPANY HAVE THIS DAY declared a dividend of Six-and-a-Half (6½) per cent. payable to the stockholders on Monday, the 25th inst., in cash.

They have also declared an Interest Dividend of Six (6) per cent. upon their outstanding scrip, payable on Tuesday, the 9th of February next, in cash.

They have further declared a Scrip Dividend on the earned premiums of the year, ending Dec. 31, 1857, of Thirty-one per cent., the certificates deliverable to parties entitled thereto, on Tuesday, the 9th February next.

The Scrip Dividend makes the Scrip Dividends declared by this Company, during the last four years, one hundred and five and a half per cent.

This Company having always declined to insure through the medium of brokers and out-of-town agents, it is important that all applications for insurance should be made to the office direct, or through respectable parties residing in this City.

TRUSTEES:

| | | |
|---|---|---|
| Charles H Russell, | Denning Duer, | Fred. A. Delano, |
| Daniel B. Fearing, | J. Steward, Jr. | Joseph Hewland, |
| Wm. H. Russell, | Robt. B. Minturn, | Dan. Drake Smith, |
| A. C. Downing, | Reuben Withers, | Fred. G. Foster, |
| G. B. Lamar, | Edwd. C. Center, | Peleg Hall, |
| Wm. B. Duncan, | Josiah Oakes, | Robert S. Hone, |
| N. H. Wolfe, | Jos. Galliard, Jr. | Saml. V. Hoffman, |
| Isaac Townsend, | Jas. M. Waterbury, | J. Anthony, Jr., |
| James Warren, | Wm. H. Cary, | J. P. G. Foster, |
| Arthur Leary, | George T. Adee, | John A. C. Gray. |
| M. W. Hamilton, | John J. Astor, Jr. | |

ROBERT S. HONE, President.
DUNCAN F. CURRY, Secretary.

---

GREENWICH SAVINGS BANK, No. 73 6th-av., corner of Waverley-place.

**JANUARY INTEREST FOR 1858.**—THE Board of Trustees have ordered the interest to be paid, at the rate of 5 per cent. per annum, on all sums entitled thereto, of $500 and under, and upon all sums above $500 entitled thereto, at the rate of 4 per cent. per annum, payable at the Bank during Bank hours, on and after the 16th inst. The Bank is open daily from 10 A. M. to 2 P. M., and on Monday, Wednesday and Friday only, 5 to 7 P. M. By order of the Board.
FRANCIS T. LUQUEER, President.
WASHINGTON R. VERMILYE, JOHN S. DICKERSON, } Secretaries.

---

**BROADWAY SAVINGS INSTITUTION**—No. 237 Broadway, entrance on Park-place. Depositors are hereby notified that the usual semi-annual dividend on all sums entitled thereto, at the rate of 6 per cent. per annum on sums not exceeding $500, and 5 per cent. over $500, will be paid on and after Monday, Jan. 18. Interest not called for will be deemed principal and draw interest accordingly from Jan. 1.

Bank open daily from 10 to 3 o'clock, and every Monday evening from 5 to 7 o'clock.
FRANCIS P. SCHOALS, President.
WADE B. WORRALL, Secretary.
PETER CUMMING, Accountant.

---

**BANK FOR SAVINGS.**—NO. 87 BLEECKER-st.—Jan. 13, 1858. Under the provisions of the by-laws, the Trustees of this Institution have declared an interest due to depositors for the six months ending Jan. 1, at the rate of 5 per cent. per annum on all sums amounting to $5 and under $500, and on all sums of $500 and upwards, an interest at the rate of 4 per cent per annum, payable on and after the 3d Monday of the present month.

Interest not called for will be carried to the credit of depositors as principal. J. D. P. OGDEN, Secretary.

---

**THE OSWEGO AND SYRACUSE RAILROAD** Company will pay a semi-annual dividend of four per cent., on and after the 1st day of February next. Stockholders residing in the City of New-York will be paid at the Union Bank; in Albany and Troy at the New-York State Bank; in Utica at the Oneida Bank; in Syracuse at the Bank of Syracuse; all others at the Lake Ontario Bank, Oswego. Dividends not called for within 30 days, will be paid at the Treasurer's office only.
OSWEGO, Jan. 15, 1858. L. WRIGHT, Treasurer.

---

**TREASURER'S OFFICE**—CLEVELAND, COLUMBUS AND CINCINNATI RAILROAD COMPANY.—CLEVELAND, Dec. 24, 1857.—A semi-annual dividend of 5 per cent. has been declared from the net earnings of this Company for six months ending Dec. 31, payable to the Stockholders respectively on and after the 1st day of February next. Stockholders registered on the New-York books will be paid at the Phenix Bank, New-York. Transfer books will be closed from Jan. 20 to Feb. 1 inclusive. By order of the Board.
T. P. HANDY, Treasurer.

---

RUTGERS FIRE INSURANCE COMPANY, Office No. 176 Chatham-square, corner Mott-st.

**DIVIDEND.**—THE DIRECTORS HAVE THIS DAY declared a semi-annual dividend of eight per cent., payable on and after the 2d February next. The transfer books will be closed from the 25th inst., till 2d February. By order.
EDWARD B. FELLOWS, Secretary.

---

OFFICE OF THE EXCHANGE FIRE INSURANCE CO., No. 38 Wall-st., New-York, Jan. 19, 1858.

**DIVIDEND.**—THE DIRECTORS HAVE DEclared a semi-annual dividend of five per cent. on the capital stock, payable Feb. 1. The transfer books will be closed from the 25th inst. until that date.
RICHARD C. COMBES, Secretary.

---

NEW-YORK, Dec. 26, 1857.

**BANK OF NEW-YORK.**—THE BOARD OF Directors of the Bank of New-York have this day declared a dividend of three and a half per cent., (3½,) payable on and after Jan. 2, 1858.

The transfer books will be closed until 4th of January.
W. B. MEEKER, Cashier.

---

OFFICE OF THE SECURITY FIRE INSURANCE COMPANY, No. 31 Pine-st., (Great Western Buildings,) New-York, Jan. 11, 1858.

**DIVIDEND.**—THE BOARD OF DIRECTORS HAS this day declared a dividend of seven per cent., payable on demand.
THOMAS W. BIRDSALL, Secretary.
NEW-YORK, Jan. 11, 1858.

---

**DIVIDEND.**—OFFICE OF THE ARCTIC FIRE INsurance Company, No. 29 Wall-st. New-York, Jan. 13, 1858. A semi-annual dividend of five per cent. has this day been declared, payable on the 15th inst.
RICHARD A. OAKLEY, Secretary.

---

**THE HALF-YEARLY INTEREST DUE** Jan. 20, 1858, on the First Mortgage Bonds of the Cincinnati, Hamilton and Dayton Railroad Company, will be paid at the Bank of America.
S. S. L. HOMMEDIEU, President.

---

**CLINTON FIRE INSURANCE COMPANY.**—Dividend, New-York, Jan. 7, 1858. The Board of Directors of this Company have this day declared a semi-annual dividend of eight (8) per cent., payable on demand. JAS. B. AMES, Jr., Secretary.

## BANK NOTICES.

MECHANICS' BANKING ASSOCIATION, Jan. 18, 1858.

**NOTICE IS HEREBY GIVEN THAT THIS** Bank has resumed business, and is prepared to receive deposits. J. H. FONDA, Cashier.

---

**MARINERS' SAVINGS INSTITUTION**—3d-av., corner 9th-st., open daily from 8 A. M. to 2 P. M., and on Wednesday and Saturday from 5 to 8 P. M. Interest allowed on deposits. I. T. SMITH, Sec'y.

## FURNITURE.

**ENAMELED CHAMBER FURNITURE.**—New and beautiful styles of enameled, solid oak and grained chamber furniture. Housekeepers in want of these cheap and fashionable styles of Bedroom Furniture will find an extensive assortment at H. F. FARRINGTON'S Warerooms, No. 368 Canal-st., opposite Wooster-st., New-York.

## PUBLIC NOTICES.

**NEW-YORK STATE CANALS.**—NOTICE TO CONTRACTORS.—REPAIRS OF CHEMUNG AND CHENANGO CANALS.—In pursuance of Act, Chapter 105, Laws of 1857, and of a resolution of the Contracting Board, notice is hereby given that sealed proposals will be received by the undersigned at the Engineer's Office, in the city of Syracuse, until Tuesday, the 2d day of February next, at 10 o'clock A. M., for furnishing all the materials and performing all the work necessary, or that may be required, to keep in good repair and in good navigable condition during such time in each year as the Canal Commissioners or Commissioner in charge shall direct, for a period of five years from the 15th day of February next.

| | Penalty in Bond. |
|---|---|
| The Chemung Canal and Feeder | $5,000 |
| Section No. 3 Chenango Canal | 5,000 |

Together with all and each of the Side Cuts, Structures, Feeders and Reservoirs connected therewith.

Every proposal shall be accompanied by an affidavit indorsed thereon, of each person uniting in such proposal, that he is not directly or indirectly interested in any other proposal for the same work or materials, or any part of the same; that he has no agreement or understanding with any other person to become interested in any other proposal or contract for the same work or materials, or any part thereof; and that no other person than such as shall be named in the proposal is interested in the same, or has any agreement or understanding to become interested in any contract that may be made in pursuance of such proposal.

Every proposal for the above-mentioned work or materials must be accompanied with a bond to the people of this State, in the penalty specified above, and which bond shall be signed by the party making such proposal and two or more responsible sureties, with such evidence of their responsibility as the Contracting Board shall require, and which sureties shall justify in sums equal in the aggregate to twice the amount of such penalty.

Each proposal must be accompanied by a certificate of the Supervisor of the town, and the County Clerk, or the County Judge of the County in which said surety shall reside, or any two of them, as to the responsibility of said sureties.

The persons to whom the work may be awarded will be required by the Contracting Board to give the bond for the payment of laborers' wages, as required by chapter 278, of the laws of 1850.

No acceptance of a proposal or award of a contract by the Contracting Board, and no contract made by them, or any interest in the same, shall be assignable to any person or persons, without the written consent of the Canal Commissioners.

The Commissioners will reserve fifteen per cent. of the amount of each relative monthly estimate of work done and materials delivered, as a security to the State for the performance of the contract, and at the expiration of the third month of each year, the fifteen per cent. thus retained during the previous year, shall be paid to the contractor, providing the provisions of the contract shall have been fully complied with.

In case the Contracting Board shall be of opinion that the proposals made, at any meeting thereof, pursuant to any advertisement, are, in consequence of any combination or otherwise, excessive and disadvantageous to the State, they may decline all or any of the said proposals, and advertise anew for the work and materials embraced therein.

The person or persons to whom the contract may be awarded will be required to receive the boats, tools and other implements specified in the following Schedule, and allow therefor the respective prices therein stated, viz.:

SCHEDULE.
SECTION NO. 3 CHENANGO CANAL.
There are no boats or tools on this section.
CHEMUNG CANAL AND FEEDER.
In charge of B. P. BAILEY, Superintendent.

| | |
|---|---|
| 1 Broad Axe, $2; 1 Narrow Axe, $1 | $3 00 |
| 1 Small Boat, $12; 3 Crow Bars, $3 | 15 00 |
| 4 Tool Chests, $6; 1 pair Cant Hooks, $1 | 7 00 |
| 3 Lamps, $3; 3 Lamp Fillers, 94c | 3 94 |
| 30 Picks, $22; 2 Plows, $7 | 29 50 |
| 2 Pumps, $1 50; 1 Cross Cut Saw, $4 | 5 50 |
| 1 Pile Driver and Fixtures | 225 00 |
| 1 State Scow, $150; 1 Gravel Scow, $75 | 225 00 |
| 10 Scythes, $7 50; 5 Scythe Snaths, $12 50 | 20 00 |
| 3 Scrapers, $15; 153 Shovels, $133 87 | 148 87 |
| 1 Grind Stone, $3; 115 Wheel Barrows, $230 | 233 00 |
| 1 Wrench, 75c.; 1 Rope 80 feet long, $4 | 4 75 |
| 1 Lighter for Mowing | 30 00 |
| Total | $950 56 |

In charge of W. L. KIDDER, Resident Engineer.

| | |
|---|---|
| 13,200 feet Hemlock Plank | $88 50 |
| 3,573 feet B M. Hemlock Timber | 25 01 |
| 7,063 feet Oak Timber, Plank and Boards | 112 13 |
| Lot of Timber, framed | 5 00 |
| 3 Axes, $2 50; 9 Augers, $6; 1 Tackle Block, $6 | 14 50 |
| 4 Crow Bars, $6; 3 Chains, $9; 1 Chisel, 25c | 15 25 |
| 7 Tool Chests, $7; 3 Hammers and Sledges, $5 | 12 00 |
| 2 Cant Hooks and 2 Lamps, $2 50 | 4 50 |
| 3 Lock Gates, $150; 1 Mul and Beetle, $1 50 | 151 50 |
| 7 Paddle Gates, for Locks, $65; 6 Padlocks, $1 50 | 66 50 |
| 55 Picks, $50 75; 23 Pike Poles, $11 50; 2 Plows, $9 | 71 25 |
| 1 Pump, $1 50; 1 Scow, $275; 6 Scrapers, $22 50 | 299 00 |
| 356 Shovels, $247 63; 1 Shave, 75c.; 1 pr. Shackle Bars, $1 50 | 249 88 |
| 1 Grind Stone, $4; 1 Stove, $1; 1 pair Blacksmith's Tongs, 75c | 5 75 |
| 222 Wheel Barrows, $325 62; 6 Wrenches, $7 50 | 333 12 |
| 1 Brace and 2 Bitts, 63c.; 4 Steps and 3 Sockets, $3 50 | 9 13 |
| 2 Tow Posts and 1 Heel Post, $22; 3 Gate Collars, $3 | 25 00 |
| 9 Eyes, $4 05; 12 Wrists, $21 60; 2 Cold Chisels, 75c. | 26 40 |
| 1 Boring Machine, $7; 2 Pails and Dippers, 75c. | 7 75 |
| Bow, Stern and Tow Lines | 15 00 |
| Total | $1,531 17 |

The aggregate of the same to be paid in twelve equal monthly payments.

The person or persons to whom the work may be awarded will be required to enter into contract for the performance of the work within ten days after the same shall have been awarded to him or them, upon the terms prescribed by the Contracting Board.

The name or names of the person proposing must be written out in full, with their places of residence.

The specifications and blank propositions and forms of contracts and bonds will be ready for examination at the above-mentioned office, ten days prior to the time specified for the letting. Dated Albany, Dec. 29, 1857.

HENRY FITZHUGH,
SAMUEL S. WHALLON,
CHARLES H. SHERRILL,
S. SEYMOUR, State Eng. and Surveyor.
LORENZO BURROWS, Comptroller.
} Canal Commissioners.

---

**OFFICE CHIEF ENGINEER FIRE DEPARTMENT**, No. 21 ELIZABETH-STREET, NEW-YORK, May 21, 1857.—The undersigned calls the attention of the Firemen to the following list of buildings, which have been examined and pronounced unsafe by the Board of Fire Wardens:

Albany-st., No. 20—Amos-st., No. 140—Ann-st., Nos. 45, 74—Barclay-st., Nos. 47, 94, 98, 100, 102, 104—Baxter-st., No. 41—Bleecker-st., No. 243—Bowery No. 119—Beekman-st., Nos. 22, 24—Broadway, Nos. 256, 374 (rear) 377, City Hotel buildings, corner of Cedar and Thames sts., Catharine-st., Nos. 28, 28½—Cedar-st., Nos. 4, 198—Cherry-st., No. 147—Courtlandt-st., No. 10—Chambers-st., Nos. 84, 114—Duane-st., Nos. 6, 118, 142, 144—East Broadway, No. 76—Elm-st., Nos. 121, 123, 125—Eighth-st., Nos. 327, 329—Eleventh-st., Nos. 217, 221, 223, 257, 259, 261—East Thirteenth-st., No. 215—East Fourteenth-st., five five story brown-stone dwellings, near Third-av., East side—East Sixteenth-st., No. 177—East Eighteenth-st., Nos. 242, 244, 246—East Nineteenth-st., No. 210—Fulton Market buildings—Fourth-st., No. 259—Forsyth-st., No. 156—Fifth-st., No. 315—Greenwich-st., Nos. 29, 36, 63, 63, 67, 79, 101, 113, 164, 179—Howard-st., Nos. 39, 41—Horatio-st., No. 130—Jacob-st., Nos. 11, 13, 15, 21, 23, 25—Leonard-st., Nos. 138, 139, 140—Lewis-st., No. 225—Liberty-st., 138, 140—Market-st., northeast corner of Canal—Mercer-st., No. 107—Mulberry-st., northeast corner of Canal—Mott-st., Nos. 216, 218, 258, 292, 293—Nassau-st., Nos. 82, 84, 86—Ninth-st., Nos. 349, 351—Pearl-st., Nos. 340, 346, 390, 477—Peck-slip, Nos. 38, 40, 42—Pine-st., Nos. 25, 27—Pike-st., No. 81—Reade-st., Nos. 36, 61—Roosevelt-st., No. 34—South-st., Nos. 96, 116—Northwest corner South and James sts.—Spruce-st., Nos. 2, 15—Twelfth-st., Nos. 434, 489—Water-st., Nos. 22, 142, 418—Washington-sq., Nos. 5, 21, 23, 33, 35, 71, 87, 89, 102, 123, 160, 162, 179—Worth-st., Nos. 51, 52, 53—Wooster-st., No. 73—Northeast corner West and Albany sts.—Northeast corner West and Cedar-sts.—West Sixteenth-st., corner Ninth-av.—West Seventeenth-st., Nos. 40, 71, 140—West Twenty-ninth-st., No. 353—West Thirtieth-st., Nos. 15, 152—West Thirty-first-st., Nos. 129, 131—West Thirty-second-st., Nos. 63, 106—West Thirty-fifth-st., Nos. 127, 129, 131, 133, 135, 137—West Thirty-seventh-st., Nos. 205, 208 (rear)—West Fortieth-st., No. 284—Seventh-av., Nos. 424, 425, 426, 428, 430—Ninth-av., 519½—Northeast corner First-av., and Ninth-st.—Avenue A, No. 93—Avenue C, Nos. 134, 136, 138—Corner Sixteenth-st. and Sixth-av., Johnson & Green's Hair Factory—Corner Twenty-sixth and Seventh-av., northeast corner—Corner Twenty-seventh-st. and Broadway, marble saw mill.

HENRY H. HOWARD,
Chief Engineer New-York Fire Department.

---

**NOTICE.**—TO HOLDERS OF SACRAMENTO County Court-house and Jail Bonds, of the Funded Debt of 1855: Take notice, that I have, in accordance with an act of the Legislature approved April 29, 1857, set apart the sum of eleven thousand five hundred and eighty-five dollars and seventy-eight cents, ($11,585 78,) for the purpose of redeeming said Bonds, and will receive bids for the surrender of said Bonds on Monday, the 1st day of March, 1858, at the County Treasurer's office, in Sacramento City, at 12 o'clock, and will accept such bids as will cancel the greatest amount of Bonds. No bids will be received at more than par value.
MORG. MILLER,
County Treasurer of Sacramento County.
COUNTY TREASURER'S OFFICE, Dec 14, 1857.

---

**DANBY BANK.**—RECEIVER'S NOTICE.—IT WAS ordered by the Court of Chancery, for the State of Vermont, on the 29th day of Dec., A. D. 1857, that the undersigned be appointed Receiver of the DANBY BANK, and that all persons holding the bills, or having claims against said bank, present the same for allowance to the undersigned, at his office in Manchester, Vermont, within one year from the said 29th day of Dec., 1857; and in default of such presentment, said bills and claims be forever barred. And it was further ordered by the Court aforesaid, that notice be given to all persons interested in said bank, by publishing the substance of said order, for eight successive weeks in the Rutland *Herald* and Bennington *Banner*, and in one paper printed at Buffalo, in the State of New-York, and in one paper printed at Chicago in the State of Illinois, and for six weeks continuously in the *New-York Times* and the Boston *Post*.
WINCHESTER, Vermont, Jan. 16, 1858.
ja21-lawowTh A. L. MINER, Receiver.

---

**BANK DEPARTMENT—STATE OF NEW-YORK**—ALBANY, March 25, 1856.—Notice is hereby given, pursuant to the Statute in such cases made and provided that all the Circulating Notes issued to J. RELF, an individual Banker, (Farmers' Banker, Mina, Chautauque County,) must be presented at the Office of the Superintendent of the Banking Department of the State of New-York, for payment within two years from the date hereof, or the funds deposited for the redemption of the Circulating Notes issued to the said Banker will be given up. JAS. M. COOM, Superintendent.
N. B.—The Commercial Bank of Albany will redeem the Notes in behalf of the Superintendent.
mh12,'56-law2yW

---

**WESTERN WISCONSIN MINING COMPANY.**—A special meeting of the Stockholders of the Western Wisconsin Mining Company will be held at the Capital House in Madison, Wis., on SATURDAY, Jan. 30, 1858, at 4 o'clock in the afternoon, for the purpose of electing five directors of said Company, and for the purpose of altering, amending or repealing the By-laws of said Company. MOSES M. STRONG, President.
GEORGE W. STRONG, Secretary.
Being also Directors, and representing two-thirds of the stock of said Company.

---

**MR. GEORGE SNOW, FOR SEVERAL** years in my employ, is no longer authorized to transact business of any kind for me or in my name.
FRANCIS HART, No. 63 Courtlandt-st.

## PUBLIC NOTICES.

**MARIETTA AND CINCINNATI RAILROAD.**—OFFICE OF THE MARIETTA AND CINCINNATI RAILROAD COMPANY, CHILLICOTHE, Ohio, Jan. 8, 1858.—*To the Stockholders and Creditors:* A meeting of the Stockholders, Bondholders and Creditors of this Company, will be held at the office of this Company, on WEDNESDAY, the 16th day of February, proximo, at 11 o'clock A. M., to determine upon such course of action as may be deemed best to secure the interests of all concerned. Per order,
ORLAND SMITH, Secretary.

---

**SPECIAL NOTICE.**—THE COMMITTEE ON Streets of the Board of Aldermen, to whom was referred a resolution to inquire into the expediency of taking up and relaying the Russ pavement in Broadway, so as to obviate the difficulties now experienced in traveling on said street, will meet at the City Library Room, No. 12 City Hall, on THURSDAY, 21st inst., at 2 o'clock P.M. All parties interested are invited to attend.
FRANCIS I. A. BOOLE, Chairman.

---

IRVING BANK, Jan. 18, 1858.

**ELECTION NOTICE.**—THE STOCKHOLDERS of this Bank are hereby notified that the annual election for Directors of this Bank, and for three Inspectors of the next election, will be held at the Bank corner of Warren and Greenwich sts., on MONDAY, Feb. 1. The polls will be open from 1 to 2 o'clock, P. M. By order
DANIEL V. H. BERTHOLF, Cashier.

---

**

# NEW-YORK CITY.

**Life-Saving Preparations on the Ferries.**

The ferry boats plying upon the East and North Rivers have escaped one great cause of disaster heretofore, by the continued prevalence of mild weather, and the consequent absence of ice from the river. The experience of last Winter put the Ferry Companies upon their guard, and their arrangements were never so complete for combatting ice as at present. With respect to the appliances for saving life, on the ferry-boats and at the different landings there has been very little change, the object being, in most cases, merely to conform to the requirements of the law. While none of the boats are without some kind of life-saving apparatus, sufficient for rescuing one or two persons who might fall overboard, no provision is made against any general disaster, which might involve the lives of 50 or 500 persons, such as the sudden sinking of a boat by collision. The only ferry where such a disaster seems to be regarded as possible, is at the Hoboken Ferry. Each of the four boats plying on this route, from Barclay, Canal and Christopher streets, are furnished with from 200 to 300 bags of cork shavings, stowed securely beneath the deck, to assist in buoying up the boat in case she should be suddenly filled with water. As these, however, have been found by careful experiment not to possess sufficient buoyant property to sustain the boats, Mr. STEVENS is now preparing *barrels*, to be covered with paper and tarred canvas, rendering them impervious to water, a sufficient number of which will be placed in the hold of each boat to make it impossible for them to sink under any circumstances. Each boat also carries one metallic 15-foot life boat, six cork buoys, and a boat hook or two on the upper deck. To guard against fire, forty buckets are conveniently placed on the upper deck, always full of water. To protect the boats against being destroyed by fire, valves are constructed in the bottom of each, by which they could be filled in a few minutes. The boats running from Barclay-street are the *James Watt* and *Chancellor Livingston*; from Canal-street, the *John Fitch*, and from Christopher-street, the *Newark*. The last named is the oldest of the boats; none of them are very new, though they are kept in good repair.

The Jersey City Ferry Company run three boats through the day, from 7 A. M. till 6½ or 7 P. M., two boats after that until 10½ P. M., and one half-hourly through the night, until 4 A. M. Their names are the *D. S. Gregory*, *John S. Darcy*, *Collen* and *Aresseoh*; they also have a spare boat called the *Hudson*. Three of these boats carry each a fourteen-foot wooden boat, and the other one of RAYMOND'S small life-boats. The wooden boat on board the *Gregory* has its seams so much opened by constant exposure to the sun that it is doubtful if it would float. One cork buoy is hung at each end of the ferry-boat, and a boat-hook [illegible] on the upper deck. These are all the arrangements noticed for protecting life on board these boats. [illegible] the pilots says he has never had occasion to [illegible] boat overboard to save life during an ex[illegible] of over thirty years on these ferries. The [illegible] powerfully constructed to penetrate the ice, [illegible] of solid timber above the water line for 30 feet from each end. During the prevalence of fogs it is their custom to run very slowly, sounding their whistles, and, never being more than three minutes' distance from the shore, they consider it impossible for them to sink from any cause before they could reach the dock on one side or the other.

The boats of the Union Ferry Company are all provided alike in respect to life-saving apparatus, each carrying a large and small-sized life-boat on the upper deck, eight or ten life-buoys, boat-hooks, ladders, heaving-lines, &c., and it is made the duty of every captain when he begins his day's work, to see that everything is in good order. On the lower deck there is a large diamond-shaped life-buoy hanging within reach of passengers.

The *Atlantic*, the fine new boat lately completed for the purpose of keeping their respective ferry-routes free from ice, carries three full-sized metallic life-boats, and six large cork life-buoys on the upper deck; oars and all other necessary appendages are attached to each, to be ready for use at a moment's notice. She carries twenty-five buckets near the pilot-house, always full of water, and attached to her engine is a first-class Worthington pump, for which there is a full supply of hose, capable of flooding the boat with water upon the shortest notice. This boat is 200 feet long, and for 50 feet at each end, is constructed of solid timber, strong enough to break through solid bodies of ice. Her engine is of great power, and altogether she is probably the largest and most perfect ferry-boat ever constructed. She cost the Company over $53,000. All the boats of the Union Ferry Company are supplied with WORTHINGTON'S force pumps, which are often made very serviceable in putting out fires on board of vessels in the harbor. The boats on the respective ferries of this company, are, on the Hamilton-avenue the *Bedford*, *Montauk* and *Wyandank*; Atlantic-street the *Atlantic* (new) and *Brooklyn*; Wall-street, *Exchange* and *Metropolis*; Fulton Ferry, the *Nassau*, *Fulton*, *Union* and *Manhattan*; the two largest of these boats, which run night and day, are each supplied with donkey-engines, capable of throwing four heavy streams of water, and so arranged that the hose can be attached at three different places, above and below decks. On the Bridge-street Ferry, the *Curlew* is supplied with the same apparatus as the other boats. The Pilots consider that the chances on any of these ferries of boats being sunk by collision are so remote that any wholesale provision for the preservation of life would be useless; that in case a collision should occur, so serious as to sink either of the boats, other boats being within call, and the shore so near no serious loss of life could occur. One or two cases have occurred of this kind. The *Louise* was cut half in two by the steamer *Metropolis*, which struck her amidships, and she soon sunk, but all her passengers were rescued by another ferry boat. The old *Suffolk* was also run down and sunk, some ten years ago, by the steamer *Rhode Island*, but no lives were lost.

The South Tenth-street Ferry and James'-slip Ferry to Williamsburg have two new boats, of improved construction, called the *George Washington* and *George Law*, which have been running since last May. Each boat carries one of RAYMOND'S 16-foot life-boats. Life buoys are also hung at each end of the boat, and ladders, boat-hooks and heaving line are distributed at convenient distances about the boats to be ready in case of need. The usual apparatus for rescuing persons is also supplied at the two landings. In the arrangements of these boats every precaution is adopted to guard against fire, the boilers being thickly felted, and the decks and wood-work around the boilers and chimneys protected by facings of zinc. Each boat has a large force pump attached to the engine, of WOODWARD'S pattern. One of these was used with good effect at the fire on board the ship *J. A. Westervelt*.

On the Catherine Ferry two boarts are run, named the *Ellen* and *Louise*, and there is a spare boat,—the *Lydia*. They carry one metallic life-boat 18 feet long, a ladder, boat-hooks, and five life-buoys. A donkey-pump and plenty of hose are, also, supplied as a provision against fire.

On the Division-avenue Ferry, one boat only is run—the *Granada*—which carries one fifteen-foot lap-streak boat, two life-buoys and two boat hooks. She has no fire-engine or force pump, and only half a dozen buckets, which are kept below, and not in very good repair.

The Peck-slip Ferry runs three boats,—the *Onolaska*, *Oneota* and *Nebraska*—each of which have two lapstreak boats on the upper deck, boat-hooks and a a cork life-preserver at each end of the boat. One of the pilots says he has not launched a boat from the deck for seven years.

The two boats which ply at the Grand-street Ferry belong to the same Company, and are provided in the same manner. There are no fire-engines or force-pumps, but twelve buckets on each boat. The *Niagara* has a donkey-pump, but no fire-hose. She is now laid up.

Two boats ply on the Houston-street ferry, named the *California* and *Williamsburg*; the *G. Stuyvesant* is laid up for the Winter. One small metallic boat is carried by each, but no force-pump or donkey-engine, and only three or four buckets.

The Tenth-street and Twenty-third-street ferries, running to Green Point, are owned by G. LEE KNAPP, and superintended by J. CHESHIRE. They have five boats running, viz: the *Green Point*, *Osprey*, *Martha*, *Iola* and *Boston*, all but one of which are new. Each carries one of FRANCIS' metallic life-boats, with corks on both decks, handy for use; there are also 100 life-preservers ready for distribution among the passengers in case of accident. One has a Worthington pump, and all the rest force-pumps, and a good supply of hose. A dozen buckets are stationed on the upper deck. Four of these boats are valued at $25,000 each, and the other at $15,000. The Company have constructed two new landings during the past year, at an expense of $80,000.

**Commissioners of Emigration.**

The Commissioners of Emigration met in Worth-street on Wednesday, the President, GULIAN C. VERPLANCK, Esq., in the Chair.

Mayor POWELL, of Brooklyn, took a seat at the Board.

The Annual Report of the Superintendent of Castle Garden, JOHN A. KENNEDY, Esq., was read by the Secretary, as follows:

EMIGRANT LANDING DEPOT,
CASTLE GARDEN, NEW-YORK, Jan. 14, 1858.

*To the Commissioners of Emigration:*

GENTLEMEN: The past year has afforded additional opportunity for yourselves and the community to become satisfied that the Landing Dépôt has accomplished all the good purposes for which it was established; the increased number of arrivals not having in any manner affected its efficiency or beneficence. The financial information heretofore furnished has been omitted, under the advisement of the Committee on the Emigrant Landing Dépôt. The main object for inquiring of passengers the amount of cash means they possessed, is regarded to have been accomplished, when it was shown to the public that on the average they were in possession of a larger amount of such means than is held by the localized residents of any known community, and that although a part of the emigration is among that class of persons who seek our shores as a refuge, and for a subsistence by labor, with little or no cash means, yet a large portion bring with them of that kind of property a sufficient quantity to sustain themselves, and to aid in the enrichment of the country. It was also apprehended that a continuance of the reports under that head might lead to mischievous results from their manifest inaccuracy. The table of 1856 presents the average amount of cash means at $68 08 per head; subsequent, but reliable, information was obtained, that the concealment of large amounts had been constantly and successfully practiced; and that had full admission been made of the funds in possession, the average would have been at least double the amount reported.

One hundred and eighty-five thousand one hundred and eighty-six passengers have landed at the dépôt within the year, brought by 615 vessels, from 24 different ports.

The plan of extending partial relief to persons who are deficient in the amount necessary to defray their expenses in prosecuting their inland journey, on the pledge of baggage, without subjecting them to charges for interest or storage, has been continued with excellent effect. Many have thus been aided in reaching their destination, who would otherwise have fallen by the way; while incitement to effort and self-dependence have been infused into others who would not, at least so early, have been made to feel and know the advantages resulting from their own exertions. There has been advanced during the year $8,743 75 to 788 families; of which amount $6,414 50 has been repaid by 606 of the families aided, leaving a balance of $2,309 25 due by 182 parties. The balance due on account of advances made in 1856 has been more than half paid off; leaving but $290 50 due by 21 families.

I had the honor of presentidg to your Board in July last, a statement intended to exhioit the increase in the number of immigrant passengers brought to this port by steam vessels, as compared with sailing vessels, and to show how entirely this branch of business was done under the flags of foreign countries.

The enlargement of the baggage house by the erection of the new building on the south side of the Castle has greatly benefited the working operations of the dépôt. It has enabled a system of receiving and delivering packages to be introduced, and relieved us from the chaotic process theretofore necessarily prevailing, when the baggage was heaped up in a contracted space, and every person who had a claim, or pretended to have a claim, was necessarily permitted free access to overhaul it, disarrange checks, and thus, too frequently, had opportunity to purloin the property of other parties. Nothing of the kind has occurred since the new baggage-house has been in use, and losses of baggage on the premises are unknown, except where it occurs from the owners' carelessness in losing their checks, or heedlessness in exchanging them. The only defect apparent in this department is the probability of more room being required should the immigration increase on the number of the last year, or even should it remain as it has was. Every day seems to increase the proportionate quantity of personal effects brought over; and as the knowledge of a greater safety for such things on landing becomes known to passengers before leaving their former homes, the quantity they bring will continue to increase.

The area of the baggage room is 11,393 square feet; and this space is occupied by two office rooms, two apartments for pledged baggage, from lack of other accommodation, and thirty-eight stalls, with the necessary passage ways. The stalls are as nearly of equal size as the ground plan will permit, and are each capable of containing about 80 ordinary-sized traveling boxes. Allowing 80 to be the capacity of each stall, there is stowage for 3,040 packages at a time, being an abundant provision for the average rate of arrivals. But when unfavorable weather has prevented ships from making port in proper time, and unduly increased the number of vessels to arrive, a sudden change of the wind may bring in a large fleet of sail, as has frequently occurred, then the limited space must derange our system and partially reopen the dépôt to the liability for such abuse as formerly existed. To illustrate, permit me to refer to such an occurrence in the latter part of June, when for several days no vessel could reach port, although many were due. On the 29th of that month they commenced arriving, and the rush continued until the 4th of July. In these six consecutive days 13,734 passengers were landed, being an average of 2,289 per day. Since the baggage has been delivered solely on orders, we have found that the relative proportion of pieces of baggage to passengers arriving is nearly equal; in the last five months there being the proportion of 6 813-1,000 pieces of baggage to 7 255-1,000 passengers. On this basis the number of pieces of baggage received in the week alluded to was 12,897—too large a number to be properly stored and delivered, in our present limits, within the period of six days.

A very considerable extension to the present accommodation for baggage will be necessary at an early day, and is respectfully submitted for your consideration.

At the time Castle Garden was opened as a Landing Dépôt, no other establishment bearing any resemblance to it had ever had existence; all the details of its construction and management were necessarily experimental and uncertain. Many important requirements were omitted to be provided for, while other things were supposed to be indispensable which are found, on trial, to be of little or no value. Improvements have been introduced, whenever they could be to advantage, but daily observation satisfies me much yet remains to be done to bring the Depôt up to the contemplated standard. My earnest efforts will continue to be directed to the accomplishment of it. Respectfully submitted.

JOHN A. KENNEDY, Superintendent.

Doctor J. M. CARNOCHAN submitted the annual report of the Surgical Department of the State Emigrant Hospital for the year 1857.

The following is a synopsis of its contents:

The number of cases treated was 1,608; number cured and discharged, 1,286. The deaths had been 37, or about 2½ per cent. on the number of cases treated. The department has been exempt from epidemic disease, but, as heretofore, there have been a number of intractable cases of malignant disease, including several cases of scrofulous disease of the long bones and spinal column. The City continues to supply the ophthalmic wards with acute and chronic cases. Many successful operations have been performed during the year.

Commissioner KERRIGAN submitted the following resolution, on the retirement of Mr. RUDOLPH GARRIGUE from the Board:

*Resolved*, That by his constant care and varied action on behalf of emigrants, and particularly by his unremitted efforts for the development and success of the Castle Garden experiment, which has practically resulted in so much benefit to the class for which it was intended, Mr. RUDOLPH GARRIGUE has deserved the thanks of the emigrants and a grateful acknowledgment from their friends.

*Resolved*, That the emigrants from Germany and Northern Europe, with whose languages he is familiar, and to whom as President of the German Society he felt it his duty to be particularly attentive, have been under special obligations to Mr. GARRIGUE, and to them especially must the absence from their service of his active sympathies and matured experience prove a severe and continued deprivation.

*Resolved*, further, That in the retirement of Mr. GARRIGUE from the Board, the members individually feel and acknowledge the loss of an esteemed associate and affectionate co-worker.

Commissioner PURDY seconded the motion in warm and earnest terms. Carried unanimously.

The following is the usual weekly report:

| | |
|---|---|
| No. emigrants arrived to Jan. 13, 1858 | 960 |
| No. emigrants arrived since to 20th | 1,095 |
| Total | 2055 |
| To same date in 1857 | 3,569 |

| | 1858. | 1857. | 1856. |
|---|---|---|---|
| No. inmates in Institution, Ward's Island | 1,990 | 1,570 | 1,976 |
| No. inmates in Institution, Marine Hospital | 122 | 114 | 2,115 |
| Totals | 2,112 | 1,684 | 4,091 |

| | | |
|---|---|---|
| Balance in Bank, Jan. 1, 1858 | | $32,155 89 |
| Receipts to Jan. 13, 1858 | 1,406 00 | |
| Receipts since to Jan. 20, for commutation of alien passengers | 1,720 00— | 3,126 00 |
| Total | | $35,281 89 |
| Disbursements as by previous account to Jan. 13, 1858 | 1,635 83 | |
| No payments on Jan. 13 | — | 1,635 83 |
| Balance of Commutation Fund | | $33,446 06 |

[Advertisement.]

CREATING A WONDERFUL SENSATION.—The new American drama of "The Pioneer Patriot" has got its reward. Already it has created a *furore* at Barnum's Museum that exceeds all precedent. Museum crowded every night to see it. It is admitted by all to be the most thrilling and exciting American play ever witnessed.

[Advertisement.]

HERRING'S PATENT CHAMPION FIRE-PROOF SAFES.—Nos. 125, 127 and 129 Water-street, and No. 261 Broadway, corner Murray-street, New-York.

[Advertisement.]

PURDY'S NATIONAL THEATRE.—Hundreds are nightly turned away from this favorite Theatre for want of room. Since the commencement of Mr. CHANFRAU'S engagement, every available inch of space has been occupied, and the manager has announced that places may be secured four days in advance. To-night Mr. CHANFRAU is to appear in his new drama of "Linda," and as the "Toodles;" the drama of "Wallace" concluding the programme.

[Advertisement.]

FREDRICK'S PHOTOGRAPHIC TEMPLE OF ART, Nos. 585 and 587 Broadway, opposite Metropolitan Hotel. Photographs, Hallotypes, Daguerreotypes and Ambrotypes, in every style. Photographs by Mr. Moulton, formerly with Gurney.

# LONG ISLAND.

## THE BROOKLYN SCHOOL CATASTROPHE.

**Coroner's Investigation.**

We yesterday gave the main particulars of the destruction of Public School building No. 14, at the corner of Concord and Navy streets, Brooklyn, and the loss of life thereby. There were only six lives lost, instead of seven, as then stated, one named by mistake appearing twice.

All of the injured were examined yesterday by Coroner SNELL. He pronounces them all out of danger, so that the worst of the calamity is known.

THE INQUESTS.

Coroner COZINE held inquests on three of the bodies immediately after the fire, and in one case, at least, a verdict was rendered without examining any witnesses! The three other cases, HENRY LE BLANC, H. C. SMITH, and STEPHEN BLOOMFIELD, are in charge of Coroner SNELL, and he intends to give the whole matter attending their deaths a thorough examination.

Deputy Coroner HORTEN succeeded yesterday in obtaining a jury of intelligent citizens and has been actively engaged since the fire in ferreting out witnesses.

Dr. SNELL undoubtedly will get out all the facts, if giving witnesses plenty of latitude will do it. He yesterday not only allowed witnesses to tell what they knew, but also to testify what they had heard, and what they heard others say they had heard.

In the testimony admitted under the Coroner's liberal ruling one witness stated that he heard a man say that the hot-air pipes leaked; the soider had been melted away; that somebody told the witness that somebody else told him that they had taken their children out of the school, as they considered their lives in danger from fire, &c., &c.

INVESTIGATION BEFORE DR. SNELL, CORONER.

Under the direction of Coroner SNELL, Deputy Coroner HORTEN yesterday summoned the following named gentlemen as a Jury to investigate the origin and history of the catastrophe:

*N. Ammerman*, *Stephen Johnson*, *Z. Maples*,
*Wilet Balden*, *James Gillen*, *John B. Tilton*,
*Richard Rogers*, *John Murray*, *Wm. H. Kenneday*,
*A. Ammerman*, *Alfred Horton*.

*Wm. H. Harris* sworn: Is a member of the Board of Education and Chairman of the Building Committee; have been nine years in the Board; the building was erected in the Fall of 1853, and occupied Sept. 1, 1854; the school building, as such, was considered admirably constructed; the means of egress were three—one, a main entrance for visitors, at the corner of Navy and Concord streets; one at the end of the building, on Concord-street, and one on Navy-street; each of the floors were divided into nine rooms, each divided from the other by the folding doors; the stairways were guarded by walls, instead of balustrades; the stairs occupied the whole of the space, leaving no well hole; the stairs are *four feet six inches* wide—the widest in the city; the plan of the building was made by King & Kellum; the furnaces were on the ground floor; the hot-air flues came up in the partitions, outside of the projections, to the folding doors; Samuel Sale built the tin-work; he was required to have the woodwork lined with tin, and perfectly protected against fire; the wood was lined with tin wherever it came in contact with the hot-air pipes; last year it was found that the old furnaces were giving out, and the Board directed that the place should be repainted; directed Mr. Mahan to cut out the wood surrounding the registers, and put in soap-stone, filling up the interstices with plaster of Paris; directed him to perfectly secure the whole of the flues against fire; when all was done, he said he was satisfied all was secure; Mahan put in the furnaces and warranted them to give, in the coldest weather, 70° of Fahrenheit; he was not to get his pay until March next; the rule is to apportion the children of the Primary Department to first floor, (second floor, in fact, in this building,) and the older scholars to the upper stories. (Witness gave as an opinion that the fire was caused by closing the registers.) The Principal had the entire charge of cleaning the rooms and the fires. Last Thursday, the Principal stated that two of the rooms were not sufficiently heated; there were about 800 children in the building at the time of the fire; the primary class of boys numbers about 200, and that of the girls about the same number; Mrs. Voorhies was the Principal in the Primary Department, assisted by eight young ladies. The visitor's entrance, at the corner of Concord and Navy streets, has stairways some six feet wide; this was to guard against accidents, as in case a rush was made from both ends of the building, the rush could be accommodated; one heater was in the centre of the wing on Concord-street; another was near the centre on Navy-street, and the other was in the fuel-room in the corner; in the room where the fire broke out the flue came up through the floor and was guarded by soapstone.

*Gamaliel King*, sworn—Is the architect who planned the building; have heard the testimony of Mr. Harris in regard to the flues and corroborate the same; I personally superintended the putting in of the hot air pipes; so far as I know, everything necessary to be done was done; there might have been a breach of the contract and I not know it; the woodwork was about two inches from the pipes; thought them safe; if the registers were all closed so as to heat the tin to melting, the tin would run down and set the wood on fire; from my personal supervision and knowledge of the work, I am satisfied that the work was done in the best and most proper manner.

*Mr. Harris* recalled, and stated that about a week ago the Principal was fearful that the pipes would set the building on fire; examined it, and found the pipe was only near a stone wall; the cause of the pipe getting hot was the closing of the damper; this was Mr. Vanahan's opinion, after an examination.

*Jane Farmer*, sworn—Is assistant teacher in Public School No. 14, in the Principal's department; witness assisted in getting out the children, but knows nothing of the origin of the fire; has heard Mr. Wolcott, the Principal, speak of the flues as being dangerous, less than six weeks ago; he specified no particular place.

The balance of the testimony of this witness was entirely irrelevant.

*Mrs. Jane Mackay*, sworn—Resides next door to the school-house in Concord-street; heard an unusual noise in the school; saw a teacher in the Primary Department open the outside doors on Concord-street, fasten them, and assisted in getting the children out of the stairway; Mr. Green's little boy fell on the platform, and quite a number of large girls fell over and upon him; one of them stepped on his neck; he was dead before he was removed; witness thought the building had been on fire for several days from the smell; examined her own house several times to ascertain the cause, thinking there was a fire somewhere; Mr. Green's boy fell first, which caused others to fall; assisted in taking out about two hundred girls before any alarm of fire was given; took out about fifty children without the assistance of any one; have noticed lately that the wall of my house, adjoining the school-house, was unusually warm.

*Ebenezer Smith*, sworn—Resides at No. 178 Nassau-street; was in his shop, opposite the school-house on Concord-street, when the alarm was given; went with several men to the Concord-street door; there were no children there then; went up to the second floor, and about thirty feet from the west end of the building (Concord-street) saw a hole in the partition wall, at the side of the folding doors, where there was a little fire, which we extinguished; tried to get to the third story, but the smoke was so dense that we could not get up; could not see any fire; saw no children in the building at all; have seen the children within a month carry into the building half a dozen pails of water at one time; have seen this twice within one month.

*James Wilson*, sworn—Resides in rear of the school-house; was at the fire; went in the building at the girls' entrance on Concord-street; saw girls coming down in very good order—saw no jam; saw considerable smoke when I first went in on the ground floor—a large column of it; children were all out within fifteen minutes after I entered; met a little boy in the hall on the second floor, as I was going towards Navy-street, and passed him out of the window; the teachers passed the children out of the rooms, and I passed them out of the windows; the draft forced the smoke into the angle of the building, and there were no doors or windows open there for it to escape; found one boy suffocated by smoke in the boys' department—the third room from the corner on Navy-street; it was Mr. WYCKS' son; he was not quite dead when I saw him; passed him out of the window, and told some one to go for a doctor; then went all through the building, but found no more children.

*Thomas Petit*, sworn—Resides corner Concord-street and Hudson; went to the fire and went into the building, at the Concord-street entrance; saw fifteen or twenty girls down on the floor at the bottom of the stairs, and others were passing over them; there was no smoke then; was engaged there until the passage was cleared, and then went up stairs to the second story and attempted to pass through the hall toward Navy-street, but had to return, the smoke was so dense; went round to the Navy-street entrance, and found, on the mid-way platform, a pile of boys about eight feet deep, seventy or eighty of them, I should think; saw Mr. Wolcott, the Principal, at the head of the stairs trying to keep the children back; he said it was impossible; tried to pull the boys out, but they were packed in so tight that I could not; got up and commenced taking them from the top and passing them out; it was twenty minutes before we got them out; I passed out four boys who were apparently dead; there was no smoke at all in that passage; the doors were not obstructed at all.

The inquest was then adjoured until 2 o'clock P. M., this day.

CORRECTION.—JEHOIAKIM N. PLASS is the name of the father of one of the boys killed at the burning of Public School No. 14, Brooklyn. It was incorrectly given Garwood in our report.

# COMMERCIAL AFFAIRS.

For Markets see Third Page.

**Sales at the Stock Exchange—Jan. 20.**

| | | | | | |
|---|---|---|---|---|---|
| $2,000 | N. Y. St. 6s, '73 | 111⅛ | 138 | Penn. Coal Co | 70 |
| 2,000 | N. Y. St. 5s, '74..100⅜ | | 480 | N. Y. C. R. R...b3 | 78¼ |
| 1,000 | N. Y. St. 6s, '67 | 107 | 100 | do...s30 | 78 |
| 3,000 | LaC. & Mil. L. G. B. | 43 | 43 | do | 78⅜ |
| 2,000 | Ohio State 6s, '60,100 | | 100 | do...s10 | 78⅝ |
| 2,000 | Ohio State 6s, '86..104⅜ | | 100 | do...s10 | 78⅝ |
| 1,000 | Kentucky St. 6s | 102 | 100 | do | 78⅝ |
| 3,000 | Tenn. St. 6s, '90, 87⅛ | | 35 | Erie Railroad | 19½ |
| 5,000 | do | 87 | 650 | do...b3 | 19⅝ |
| 25,000 | Missouri State 6s | 84¼ | 50 | Hudson R. R...s60 | 18 |
| 5,000 | do | 84⅛ | 100 | Harlem Railroad | 6 |
| 10,000 | do | 84⅜ | 100 | do | 57⅛ |
| 4,000 | do...b30 | 84⅜ | 5 | N. H. & H. R. R | 114 |
| 2,000 | Virginia 6s | 92⅜ | 10 | Sixth ave. R. R | 103 |
| 4,000 | do | 92⅛ | 450 | Reading R. R...b3 | 55⅜ |
| 500 | City 6s '59 | 99 | 500 | do...s30 | 55⅜ |
| 1,100 | N. Y. C. R. R. 6s | 85⅜ | 700 | do...b60 | 56 |
| 4,000 | N. Y. C. R. R. 7s | 95⅜ | 800 | do...s30 | 55⅜ |
| 2,000 | Reading R. R. '88 | 68⅜ | 200 | do...c | 55⅜ |
| 1,000 | M. C. R. R. 8's, 1st M. & Stg. F. Conv. Bds. | 92⅜ | 400 | do...b30 | 55⅜ |
| 5,000 | do | 92⅝ | 100 | do | 55⅜ |
| 10,000 | do...b30 | 92⅝ | 125 | M. So. & N. I. R...b3 | 19⅜ |
| 3,000 | do | 92 | 50 | do...b3 | 19⅜ |
| 10,000 | Ill. C. R. R. Bds...b60 | 90 | 20 | M. So. & N. I. pf. S. | 33½ |
| 4,000 | do | 89⅛ | 5 | Panama Railroad | 89⅜ |
| 17,000 | La C. & Mil. L. G. B | 43 | 25 | do...b60 | 90 |
| 15 | Bank of New-York | 10 | 99 | do | 89¾ |
| 20 | Bk of the St. of N. Y. | 98 | 350 | Illinois Cen. R. R | 91⅜ |
| 50 | Am. Exchange Bk | 100⅜ | 100 | do...b60 | 92⅜ |
| 30 | Merchants' Bank | 106 | 100 | do | 91½ |
| 120 | do | 106⅜ | 40 | Cleve. & Pitt. R. R | 8 |
| 16 | Bank of America | 106½ | 35 | Clev, Col. & Cin. R | 93 |
| 68 | City Bank | 112 | 65 | Galena & Chic. R. R | 70 |
| 38 | Metropolitan Bank | 102 | 50 | do...b60 | 70 |
| 10 | Hanover Bank | 79½ | 200 | Cleve. & Tol R. R | 41¾ |
| 10 | Commonwealth B'k | 87½ | 100 | do...b30 | 41¾ |
| 10 | do | 87 | 200 | do...b3 | 41¾ |
| 50 | City Bank Wmsburg | 107 | 50 | Chi. & Rk. Is. R. R | 66⅞ |
| 5 | Del & Hud Canal | 111¾ | 50 | do...b60 | 67 |
| 886 | Cumb. Coal Co...b3 | 13 | 26 | do | 66¾ |
| 50 | do...s60 | 13 | 15 | do | 66¾ |
| 70 | Pac. M. Steam'p Co. | 89 | 120 | do | 66¾ |
| 10 | do | 68⅝ | 15 | Mil. & Miss. R. R | 30½ |
| 10 | do | 68⅜ | 125 | do | 30 |
| 125 | do | 68 | 425 | La C. & Mil. R. R | 11¾ |
| 50 | do | 67⅜ | 20 | do | 11¾ |
| 50 | do...s10 | 67⅜ | 10 | C. B. & Quincy R. R. | 60⅜ |
| | | | 10 | National Bank | 105 |

SECOND BOARD.

| | | | | | |
|---|---|---|---|---|---|
| $3,000 | Virginia 6s | 92⅜ | 200 | Cumb. Coal Co | 13¼ |
| 5,000 | Mo. St. 6s | s30 94⅛ | 450 | do | 13⅜ |
| 5,000 | do...b30 | 84⅜ | 700 | do | 13⅜ |
| 10,000 | do | 84¼ | 100 | do...s30 | 13⅜ |
| 3,500 | Ohio St. 6s, '60 | 100 | 547 | do | 13⅜ |
| 3,000 | La C. & Mil. L. G. B. | 43 | 100 | do | 13⅝ |
| 6,000 | do...s30 | 42⅜ | 100 | do...s30 | 13⅜ |
| 3,000 | do | 42¾ | 150 | Erie R. R | 19⅝ |
| 4 000 | Harlem R. 1st m. | 74 | 26 | Harlem Railroad | 58 |
| 50 | Bank of New-York | 101⅜ | 100 | do | 57⅝ |
| 100 | La Ce & Mil. R. | s30 113⅛ | 225 | N. Y. Cent. R. R. | 78½ |
| 150 | do | 113⅞ | 100 | Reading R. R. | b30 56 |
| 23 | Ocean Bank | 87 | 200 | do | b60 56 |
| 35 | American Ex. Bk | 100¼ | 100 | Mich. Cent. RR | b3 54⅛ |
| 50 | Clev. & Tol. R. R. | 41¾ | 20 | do | 54⅜ |
| 75 | Chic. & Rock I. R. R. | 66 | 25 | Dlinois Cent. R. R. | 91⅜ |
| 150 | do...s10 | 65⅜ | 50 | do...b30 | 91⅜ |
| 180 | do...s3 | 65⅝ | 10 | do | 91 |
| 5 | Third-av. R. R. | 97 | | | |

REPORTED SALES BY AUCTION.

| | | | | | |
|---|---|---|---|---|---|
| $3,000 | Terre H. & A. 10 ₱ ct. | C. S. F. Bonds | 33⅛ | | |
| $2,000 | Sacramento City 10 ₱ ct. | F. L. Bonds | 54⅛ | | |
| $6,000 | Lee County (Iowa) 8 ₱ cent. | Bonds | 63¾ | | |
| $1,000 | Lake E., W. & St. L. R. R. 7 ₱ ct. | S. F. B. | 25 | | |
| $2,000 | Milwaukee City 7 ₱ ct. | Bonds | 53⅞ | | |
| $2,000 | Milwaukee City 7 ₱ ct. | Bonds | 53½ | | |
| $4,000 | Chic. & Mil. R. R. 1st mg. 7 ₱ ct. | Bonds | 71 | | |
| $7,000 | Detroit, Monroe & Tol. R. R. 7 ₱ ct. | Bds | 63½ | | |
| 1000 | shares Missouri State 6 ₱ cent. | Bonds | 84⅛ | | |
| $8,000 | Missouri State 6 ₱ ct. | Bonds 1884 | 84⅛ | | |
| $2,000 | Tenn. State 6 ₱ ct. | Bonds 1890 | 85 | | |
| $5,000 | Clev. & Pol. R. R. 7 ₱ ct. | 2d mtg. B. '62 | 68 | | |
| $7,000 | Chic. St. P. & Fdu L. R. R. 8 ₱ c. | L. G. B. '82 | 15 | | |
| $2,000 | Milwaukee City Sinking Fund | Bonds '77 | 73 | | |
| $3,000 | Illinois State Interest | Bonds 1860 | 76 | | |
| 10 | shares Artisans' Bank | Stock | 76½ | | |
| 10 | shares Importers' and Traders' | Bank | 97¼ | | |
| 13 | shares Park Bank | | 92 | | |
| 10 | shares Continental Bank | | 95¾ | | |
| 2 | shares American Express Co | | 90 | | |
| 10 | shares Commonwealth Fire Ins. Co | | 84 | | |
| 75 | shares Great Western Marine Ins. Co | | 92¾ | | |
| 15 | shares Excelsior Fire Ins. Co | | 99¾ | | |
| 50 | shares Peter Cooper Ins. Co | | 107¾ | | |
| 15 | shares Pacific Mail Steamship Co | | 68¾ | | |

WEDNESDAY, Jan. 20—P. M.

We regret exceedingly that we were misled yesterday into an act of serious and apparently wanton injustice to one of the most extensive shipping merchants of the City, Mr. MARSHALL O. ROBERTS, by announcing that he had made an assignment. We made the publication upon what we believed to be, as we had always previously found it, reliable authority, and certainly without the slightest suspicion that it was otherwise. We ascertained, to our satisfaction, early in the day, that it was utterly without foundation,—that Mr. ROBERTS has not only made no assignment, but that he neither intends nor expects to do so, as every dollar of his indebtedness is met as it falls due.

It is scarcely necessary, we trust, to express our profound regret at the occurrence of this mistake. We have reason to believe that the report originated with personal or business enemies of Mr. ROBERTS, and that it was thoroughly malicious in its intent. Our agency in giving it currency was, certainly, innocent and unsuspecting, and we embrace the earliest possible opportunity, in this morning's edition of the TIMES, to give it a prompt and explicit contradiction. While we are fully aware of the serious damage such a mistake is likely to inflict, we trust that in this instance no injurious consequences will ensue.

The amount of Gold and Silver carried out by the *Africa*, for Liverpool, to-day, is $1,244,000. The Foreign Bill market left off steady at 109¼@ 109¾ ₱ cent. on London; 5.17½@5.15 on Paris, for select standard signatures; and 108¾@109 for good mercantile bills. The market for Money to-day is without alteration from yesterday's report. At the Stock Exchange there was some considerable realizing at the early Board at a decline of ¼@½ ₱ cent.—and in some instances as much as 1 ₱ cent.—from yesterdays's prices, and this feeling continued until near the close of the afternoon dealings, when the demand turned in favor of the market, and the final rates generally show a recovery from the decline. Reading was in request at 56 ₱ cent.; the bid for New-York and Erie was 20 ₱ cent.; and for New-York Central, 78⅜ ₱ cent.; Missouri sixes were 84½; Virginias, 92⅜; and La Crosse Land Grant, 43 ₱ cent. There was a private sale of Ohios of 1886 at 104½. The Sub-Treasury received $100,000 in exchange for Treasury Notes, and $112,882 from other sources. The payments were $161,407. Balance this afternoon, $2,947,702.

The Corn Exchange Bank has declared a half-yearly dividend of 3 ₱ cent. payable Feb. 1; and the Brooklyn Bank 5 ₱ cent., payable Feb. 1.

We have been permitted to copy the following from an old English banking firm, received by the last mail, in regard to the future of the English Money Market. It is dated

LONDON, Friday, Jan. 1, 1858.

The very great influx of gold into this country has so rapidly improved the condition of our bank that it has produced a wild speculation in securities. In Consols it was natural enough this should take place, owing to the want of confidence engendered by the numerous bank failures, but we can see nothing to justify this indiscriminate rise in railroad shares and general rubbish. The receipts of our railroads must certainly decrease materially for the next six months. It seems, however, to be the general idea that money will become rapidly a greater drug than it was after the panic of 1847. We fear, however, these disasters have been too wide-spread, too universal. The absolute destruction of capital, all over the world, is enormous, and its full extent is yet far from ascertained. Yet such was the resolute determination here, at one time, to call in capital from every part of the world, that of course we must, ere long, have a comparative superabundance. What, then, is to be done with it? This is a subject peculiarly interesting to the British public to consider. Will they keep it at home and gamble in their own securities, till they force them up to such ideal prices as that they pay a mere nominal rate of interest? We think not. With all these commercial disasters, the demands of the world for capital have not decreased. The railroad system, which now forms the hobby of every civilized and half-civilized country, will formany years form a drain for capital which the British capitalist will be quite unable to resist, as soon as he has recovered from the fright which has governed his actions for the past three months. At home we cannot create new demands for capital; the ground is already occupied, and 3 or 4 ₱ cent. of our annual savings is all that we can employ within our own isles. British enterprise cannot long be held at bay; it will soon assume its former character, and carry into distant lands that capital which of late it has so hastily called home. India and China will require no small amount, and Europe and the Western Continent will greedily absorb any amount we may be unable otherwise to appropriate.

Providence last year favored almost every country with very abundant crops. Of these, as yet, a very small portion have reached a market, and, after the great prostration of credit, it appears to us that in the Spring the whole world will be forcing us to buy this produce, much of which will have to be stored away until cheap money has produced lavish consumption. Thus a large amount of capital will be locked up. So that, looking at the question in all its bearings, we cannot but think that although money may for a very short period reach some low point, yet the general demand for capital will speedily restore it to a